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ON RECENT STUDIES OF THE OPENING QUESTION IN SCOTUS'S *ORDINATIO*

Studies have been made fairly frequently of Duns Scotus's doctrine on the necessity of revelation as this subject is taught in the opening question of his principal work, the *Ordinatio* or *Opus Oxoniense*. Within the past few years the passage has been twice presented in English, in an exact translation by A. Wolter, O.F.M.[1], and in the form of a paraphrase with a commentary by Nathaniel Micklem[2]. Etienne Gilson gave considerable attention to the same question in his recent large work on the fundamental positions of Duns Scotus[3]. C. Balič has published important observations on some of Gilson's views[4]. In the first volume of the Vatican edition we get a critical text.

Analytic study of the critical edition in relation with possible sources and parallel works makes possible an appreciation of the stages in the exposition of our doctor's thought[5]. This study also helps towards an assessment of judgments found in works which did not aim at an exhaustive treatment of this opening question in its entirety. The importance of fidelity to the original order of presentation is emphasized. The character of the opposition envisaged by Scotus is more clearly defined. We get help towards the interpretation of our author's views on the first object of the intellect and its relation with metaphysics.

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[1] A. Wolter, *Duns Scotus on the necessity of revealed knowledge. Prologue to the Ordinatio of Duns Scotus*, Franciscan Studies, XI (1951), [231]—[272].

[2] N. Micklem, *Reason and Revelation: A Question from Duns Scotus*, [Edinburgh], 1953.

[3] E. Gilson, *Jean Duns Scot. Introduction à ses positions fondamentales* (Études de philosophie médiévale, XLII). Paris, 1952. See also *Les recherches historico-critiques et l'avenir de la scolastique* in *Scholastica ratione historico-critica instauranda*. Acta congressus scholastici internationalis Romae anno sancto MCML celebrati (Bibl. Pontificii Athenaei Antoniani, 7), Rome, 1951, 131—142. Also, *Les maîtresses positions de Duns Scot d'après le Prologue de l'Ordinatio*. (Acta primi conventus internationalis lectorum philosophiae O. F. M. habiti Romae 11—16 Sept., 1950), Antonianum, XXVIII (1953), 7—18.

[4] C. Balič, *Circa positiones fundamentales Joannis Duns Scoti*. Antonianum, XVIII (1953), 261—306.

[5] In this article we present some of the results of such a study submitted as a dissertation for the degree of Doctor in Philosophy at the *Institut supérieur de philosophie* of Louvain.

Scotus's teaching here on the objects of theology and metaphysics is clarified. The reasons for the rejection of certain anti-rationalist arguments are seen in better perspective.

Significance of the order of presentation

The arrangement of this first question in the prologue of the *Ordinatio* is rather complicated. We have before us an example of the scholastic method of presentation developed to the stage when, after the introductory series of objections and supporting arguments, a further long series of objections and answers is included before we get the solution and the answers to the initial arguments[6].

It is difficult to present the matter in modern form without sacrificing to some degree that precious help to interpretation, the context of the author's statements. It seems regrettable, however, that in Gilson's book the anti-rationalist view precedes the rationalist arguments[7]. This is different from the order of presentation chosen by Scotus. We believe that there are indications that this presentation by Gilson distorts Scotus's opinion. Interpretation of the positive arguments for the necessity of theology would be greatly helped if one knew the mentality ascribed to those who occasioned the theologian's stand. The alleged attitude of those who were opposed by the theologians can only be learned by giving careful attention in the first place to the "philosopher's arguments", and to the replies which they receive.

At the beginning of the prologue of the *Ordinatio* seven arguments are ranged against the necessity of revealed knowledge, three being used as the initial arguments[8] whereas the remainder are found in the *corpus*[9]. From the viewpoint of our study, however, we are justified in considering them as a unit, for together they give a composite picture of the mentality of the "philosophers" Scotus had in mind[10].

Just as the philosopher's arguments are found in distinct groups, we get certain arguments of the theologians together while others are given apart at a later stage. Wolter suggests that Scotus in the first group merely presents and examines in a more or less neutral fashion the arguments current among the theologians of his time, without necessarily associating himself with these. The theologians are supposed to be the conservative "Augustinians" of the last quarter of the thirteenth century. The solution of the question is believed to represent Scotus's own more moderate orthodox view[11].

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[6] Cf. A. Wolter, *art. cit.* A useful plan of the contents is included.

[7] E. Gilson, *Jean Duns Scot . . .*, 11—84.

[8] *Ordinatio, Prologus*, Editio Vaticana, I, nn. 1—3.

[9] *Ord. Prol.*, nn. 6—11.

[10] Wolter's description of the *Pro et contra* as a kind of "vestigial organ" *(art. cit.)* refers primarily to the form of the scholastic question and does not mean that the matter or contents are unrelated to that of the *corpus*. In the present question, Scotus himself seems to have considered the initial arguments as an integral part of his presentation of the position of the philosophers, for he added this note to the first of these: *In ista quaestione nota* a, b, c *ad principale*. (Cf. Vatican ed. I, p. 2, line 16). Whila *a* and *b* refer to the first two initial arguments, *c* does not indicate the third but designates the first argument of the philosophers in the *corpus* (n. 6).

It is according to our concept of Scotus's attitude towards arguments of the theologians that we may judge whether or not he gives his personal assent to some of the elements of these arguments. This, of course, bears on the value of attributing doctrines to Scotus on the strength of these texts.

Hence it seems important to note that in his earlier work, the *Lectura Oxoniensis* Scotus follows what is essentially the same plan as here in the *Ordinatio*, initial arguments, philosophers' arguments, theologians' arguments, and a solution which is said explicitly to be based on the three reasons of the theologians *(ex tribus rationibus dictis)*, while no additional consideration follows those arguments of the theologians which are distinguishable as a group by their being framed in opposition to the philosopher's views[12]. Even in the *Ordinatio* we read in the solution "it has been shown by the three reasons adduced against the first opinion", and again before the confirming reasons these words occur: "the three main reasons upon which this solution is based are confirmed by arguments from authority"[13]. So we would seem to be justified in considering that Scotus identifies himself throughout with the theologians, except with regard to the two proposed arguments which he expressly rejects.

At the same time there is some indication of a possible difference of import between certain sections of the theologians' arguments. One part is introduced by the words "three arguments can be raised against this opinion"[14]. A theological consideration which does not come under that introductory phrase might not bear the same controversial aspect as one that does[15]. The introduction of a section of theologians' arguments by reference to the opponents' position emphasizes how important it is to give prior and full consideration to the passages where that position is sketched.

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[11] Cf. A. Wolter, *Duns Scotus on the natural desire for the supernatural*, The New Scholasticism, XXIII (1949), pp. 284 sqq.

[12] Joannes Duns Scotus, *Lectura in I Sententiarum (Lectura Oxoniensis)* Rome, Commissio scotistica. [Unpublished].

[13] *Ord. Prol.*, nn. 62, 66.

[14] *Ord. Prol.*, n. 12.

[15] *Ord. Prol.*, nn. 54—56 certainly does not come under that introductory phrase. Father Wolter entitles this section "C. Objection to the opinion of the theologians" [257]—[259].

The opposition envisaged by Scotus

Scotus gives his idea of his opponents' standpoint when, at the beginning of the question, he refers to a controversy between philosophers and theologians. The text in the critical edition of the *Ordinatio* reads: "In ista quaestione videtur controversia inter philosophos et theologos. Et tenent philosophi perfectionem naturae, et negant perfectionem supernaturalem; theologi vero cognoscunt defectum naturae et necessitatem gratiae et perfectionem supernaturalem.

Diceret igitur philosophus quod nulla est cognitio supernaturalis homini necessaria pro statu isto (. . .) Ad hoc adducitur simul auctoritas et ratio Philosophi ex diversis locis".[16]

The change from the plural to the singular of "philosophers" may not be without significance: *controversia inter philosophos et theologos . . . tenent philosophi . . . diceret philosophus.* In addition, the change of mood in the verbs suggests to us that we might read *Diceret ergo Philosophus*, and translate the phrase otherwise than Wolter and Gilson, who give, respectively, "the philosophers, then would say" and "un philosophe dirait". Perhaps it would be preferable to understand "the Philosopher (Aristotle), then, would say".

This emendation could be significant in interpreting Scotus's attitude towards certain arguments[17]. It is supported by the opening of the replies to this section, which commences thus: *Ad argumenta pro opinione Aristotelis.* Also, a parallel phrase in the *Lectura Oxoniensis* gives probability to the correctness of the change we propose. There the first argument for the rationalist opinion commences not with *Diceret igitur philosophus*, which leaves room for doubt, but with *Et quod haec sit intentio Philosophi primo apparet ex hoc quod dicit III De anima . . .*

The interpretation thus suggested would be most consistent with what is known of the rationalists of the late thirteenth century, those associated with Siger of Brabant. They professed a veritable cult of the philosophical tradition. F. Van Steenberghen writes: "L'ambition de Siger n'est pas d'innover en philosophie, mais de répéter et de répandre l'enseignement des grands philosophes; faire de la philosophie, c'est avant tout rechercher ce que pensent les philosophes au sujet d'un problème: quaerendo intentionem philosophorum in hoc magis quam veritatem, cum philosophice procedamus." (*De anima intellectiva*, VII)[18]

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[16] *Ord. Prol.*, n. 5.

[17] E. g. *infra* pp. 20 sqq.

The indication is that, whether or not Scotus is concerned with a dispute between contemporaries of his own day, he takes it that *the attitude controverted by the theologian is an identification with the views of past philosophers*. He constructs accordingly the arguments to represent that viewpoint. To have such an understanding of the opposition faced by the theologians is far from himself identifying philosophy and its possibilities with what had been achieved by the great ones of the past. Scotus would rather appear to think that in order to portray his opponents' true attitude he should show reasons and authority from past philosophers against the claim upheld by theologians — that revelation is necessary. Aristotle, above all, should be shown as one who would oppose the theologians.

Naturally the replies which Scotus gives to arguments which he constructed to represent such an attitude should be interpreted accordingly. Those replies are framed not necessarily for their absolute value in proving the inability of reason (and hence the necessity of revelation), but in relation to the mentality of the opponents, who were characterized by a complete faith in what the reason had achieved already. Scotus's endeavours would be to show that that was not enough.

It appears that in this question Scotus tries to justify the necessity of theology by a scrupulously exact assessment of the proper domain of the philosopher. The fact that this involves the curtailment of the scope claimed by certain philosophers should not lead us to think that our doctor tended towards any disparagement of the natural powers of man (even in his present state) in such a way as to differ from the other great scholastic doctors of the thirteenth century.

The first object of the intellect

The kind of opposition envisaged by Scotus must be taken into account especially in the fundamental question of the first object of the intellect, a part of our text which has been the subject of debate already between Gilson, Bettoni, Wolter and Balič[19].

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[18] F. Van Steenberghen, *Le XIIIe siècle*, Book II of *Le Mouvement doctrinal du IXe au XIVe siècle*, A. Forest, F. Van Steenberghen, M. de Gandillac, (Histoire de l'Eglise depuis les origines jusqu'à nos jours, Fliche-Martin, XIII), Paris, 1951, p. 272.

[19] Cf. E. Gilson, *Les seize premiers "Theoremata" et la pensée de Duns Scot*, Archives d'Histoire doctrinale et littéraire du Moyen âge, XII (1937), 5—86; E. Bettoni, *L'ascesa a Dio in Duns Scoto* (Pubblicazioni dell' Università del S. Cuore. Serie I. Scienze filosofiche, XXIII). Milan, 1943; A. Wolter, *The "Theologism" of Duns Scotus*, Franciscan Studies, VII (1947), 257—273, 367—398.

Scotus guides towards an understanding of the first object of the intellect by his additional note which the Vatican edition gives us in connection with the first initial argument: *Nota* a (i. e. first argument *contra*) *valet distinctione* 3 (i. e. *Ordinatio*, d. 3, q. 1). There is a similar reference in the reply given in paragraph 92 to this first initial argument. In distinction 3 Scotus treats of the first object of the intellect, and the views found there help us to understand certain remarks in the passages we are considering from the prologue.

There is question here of "priority of adequation". As this demands precision of the scope of our intellect the views of the Subtle Doctor on this point are important for solving the problem of our natural knowledge and revelation[20].

Adequacy of the object of knowledge means that the object is commensurate with the capabilities of the faculty. It involves primacy of commonness or of virtuality. It is a common concept which can be predicated of all things attainable by the faculty. It is an object which, when known, has the power of giving knowledge of all things knowable.

When Scotus recognizes being as the first object of the intellect, it is only because it *combines* these two qualities. No single object is the primary adequate object by commonness alone, or by virtuality alone. "In being there occurs a two-fold primacy namely of commonness *in quid* in regard to all concepts that are not irreducibly simple, and a primacy of virtuality in itself or in its inferiors regarding all concepts which are irreducibly simple"[21].

Scotus excluded from the transcendental extension of univocal being (which is quidditive) certain *qualifications* of being, as distinct from additional quidditive notes which in other concepts are added to the commonest note, being. For instance, being is said to be common or univocal in regard to the finite and the infinite only in the sense that it is the common determinable to which both determining elements are ordained[22]. Also, final differences between individual things have nothing in common so far as their proper perfection goes. These, and the proper attributes of being, whether disjunctive (finite-infinite), or coextensive (one, true), have no strict essence or quiddity, they are by their very nature a modification of essence. As properties they imply the note being "by addition" as part of their definition. But other concepts which can be split up into determinable and determining elements, have the note being as *common*.

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[20] Cf. A. Wolter, *The transcendentals and their function in the metaphysics of Duns Scotus* (Franciscan Institute Publications, Philosophy series, 3), St. Bonaventure, N. Y., 1946, pp. 71 sqq.

[21] *Ord.*, I, d. 3, q. 3; Wadding-Vivès, IX, p. 111: Ex his apparet quomodo in ente concurrat duplex primitas, scilicet primitas communitatis *in quid*, ad omnes conceptus non simpliciter simplices, et primitas virtualitatis in se vel in suis inferioribus, ad omnes conceptus in se simpliciter simplices.

[22] *Ord.*, I, d. 3, q. 3; Wadding-Vivès, IX, pp. 102—103.

Scotus's idea of the virtual adequacy of being as an object of knowledge seems best explained by Wolters' interpretation. It refers not to virtual inclusion in the concept of being, but to virtual inclusion in anything which itself includes the concept of being. "The being that contains the attributes and differences virtually is not the formal concept or ratio of being at all, but that of which the concept of being is predicated. In other words it is the *concrete object*, man, God, Peter, etc. or the *composite* concepts which represent such objects, namely generic, specific, individual concepts, or even specific differences which are not irreducibly simple"[23].

It "has a virtual primacy in regard to the intelligible elements included in the first intelligibles".[24] The ultimate differences and attributes which lie outside the concept of being as the ultimate *quiddity*, do not lie outside the physical being or thing but are unitively contained in it. The physical *res* of which being is predicated both agrees and differs from every other thing. It is the same *qua* being, it is different because of other formalities whose *ratio*, according to Scotus, is to *qualify* beings, and which are therefore not beings but "of beings".

In that way Scotus names being *in a certain sense* the first adequate object of the intellect; it is not so simply either by commonness alone or by virtuality alone. It is according to this strictly personal view of Scotus on the first object of the intellect that we must interpret the doctor's judgment on the views of the philosophers in this connection. It seems it is according to this view that he insists in the opening question of the *Ordinatio* that knowledge of the common notion being does not involve knowledge of being as the first object of the intellect "*quia ens est primum objectum UT INCLUDITUR IN OMNIBUS PER SE OBJECTIS*"[25].

Considerations most important in the practical science of theology led Scotus to choose being as the first object of the intellect, and that in a very special sense[26]. Man's end is beatitude in the love of God as God, following the intuitive vision of God. This is not an accidental beatification; our will itself and our intellect itself possess God. The capability of having such beatitude, then, must not be a mere accidental quality or habit supplied to our intellect and will in heaven; a habit could only perfect something already there. According to Scotus there is no real distinction between these faculties and the essence of the soul. Hence any radical adaptation of these faculties to beatitude would involve a change in our nature — which it would be absurd to point to as our end. Therefore our nature must be such that it is radically capable of the intuitive vision of the suprasensible God as object of beatitude. The object which adequately corresponds to this radical capability must be such as would embrace an immaterial object attained directly as we attain the beatific vision. The first object of our intellect is being which is so indifferent to sensible and suprasensible as to extend to the particular knowledge of the infinite involved in beatitude.

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[23] Wolter, *The transcendentals* . . . p. 92.

[24] *Ord.*, I, d. 3, q. 3; Wadding-Vivès, IX, p. 109: Habet primitatem virtualitatis ad intelligibilia inclusa in primis intelligibilibus, hoc est, ad conceptus qualificativos differentiarum ultimarum et passionum propriarum.

[25] *Ord. Prol.*, n. 91.

But now we find that theological reasoning has led to a conclusion different from Aristotle's views on the first object of the intellect — he said it is the quiddity of the material being. The theologian recognizes that what the Philosopher proposed as the first object is not that which corresponds with the radical capability of the faculty (independently of the conditions of attainment of the object); it can only be said to be the *motivator* of our intellect at present[27].

Now Scotus's solution of the problem of first object (rejecting as it does the confinement of the scope of our intellect to the sensible) deprives the theologian of an argument against rationalism. He remarks himself in the first question of the third distinction: "Whether there is another reason for the impossibility of such knowledge of God as *this essence* based on the nature of the primary object of the intellect, which some claim to be the quiddity of a material being, will be discussed in the question on the primary object of the intellect'"[28]. We have seen that such an argument would not hold for Scotus. "If the first question is solved by way of this opinion, by saying that the sensible quiddity is the first object of the intellect and therefore God or immaterial being is not known, then the solution rests on a false foundation"[29].

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[26] Cf. A. Sanders, *Het natuurlijk verlangen naar de Godsschouwing* in *Doctor Seraphicus, Vier Studies over Bonaventura* (various authors; Collectanea Franciscana neerlandica, VII, 3), 's Hertogenbosch, 1950, p. 67; A. Wolter, *Duns Scotus on the natural desire for the supernatural*, The New Scholasticism, XXIII (1949), pp. 290—294.

[27] *Ord.*, I, d. 3, q. 3; Wadding-Vivès, IX, p. 148: Primum obiectum adaequatum sibi in movendo pro statu isto (. . .) quidditas rei sensibilis.

[28] *Ord.*, I, d. 3, q. 2; Wadding-Vivès, IX, p. 32: Utrum autem sit alia ratio huius impossibilitatis, scilicet propter rationem primi obiecti, ut alii ponunt illud esse quidditatem rei materialis. De hoc in quaestione de primo obiecto intellectus.

Cannot then metaphysics, which Scotus says is the science of being *qua* being, attain to that knowledge of God which Scotus would reserve to the theologian depending on revelation? No. Scotus gives the reason why God himself as this essence cannot be the object of natural knowledge. If He be known in this way by any intellect other than His own, *it is as a voluntary and not as a natural object*[30]. God is not an object made so as to act as co-cause with the subjective faculties of any creature in any state in order to produce knowledge.

Thus there is part of the domain of being, the "first natural object of our intellect", which is essentially a voluntary object, not being made so as to be a co-cause of our knowledge: it is in that sense non-natural. It is the need of just such non-natural knowledge which is at issue in our question[31]. Our knowledge is of a nature "so excellent" that it is in potency for activation by *an agent which is not natural* in the sense of being determined to fulfil that function, i. e. an agent which acts in the same manner as the principle of art and deliberate intention, in a manner consciously teleological, as distinct from the unconscious teleology which Aristotle recognized in nature[32].

May we not then, according to Scotus, have a natural grasp of the object of metaphysics — for him this object also is being, univocal and totally indifferent to material and immaterial? Should he not be taken to believe that if we cannot naturally attain all that is implied in being as first object of our intellect, we cannot (independently of the revelation which super-naturally teaches us about the properties of God) attain to a knowledge of being sufficiently free from the material to serve as a basis for theodicy? Surely this is a serious limitation?

The objection faced by Scotus is as follows: Every faculty which has something common as its primary object is competent by nature in regard to everything contained under this object. (We know that inductively, and also because if it were not so such a faculty would not be commensurate with the first object, as is supposed.)

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[29] *Ord.*, I, d. 3, q. 3; Wadding-Vivès, IX, p. 90: Ex hoc apparet, quod si per viam istius opinionis solvatur prima quaestio, dicendo quod quidditas sensibilis est primum obiectum intellectus, et igitur non intelligitur Deus, vel ens immateriale, solutio innititur falso fundamento.

[30] *Ord.*, I, d. 3, q. 2; Wadding-Vivès, IX, p. 31: . . . Deus (ut haec essentia in se) non cognoscitur naturaliter a nobis, quia sub ratione talis cognoscibilis est obiectum voluntarium, et non naturale, nisi respectu sui intellectus tantum, et ideo a nullo intellectu creato potest sub ratione huius essentiae (ut haec) naturaliter cognosci . . .

[31] Cf. *Ord. Prol.*, n. 73.

[32] Cf. W. D. Ross, *Aristotle's Physics. A revised text with Introduction and Commentary*, Oxford, 1936, p. 518.

The natural primary object of the intellect is being *qua* being. (Avicenna says being and thing are impressed first on the soul, and cannot be revealed by anything else. Nothing, therefore, is more "primary" than they.) Besides, we know intelligible non-entities, for "affirmation explains denial".

Therefore the intellect is competent by nature in regard to all beings and non-beings[33].

Scotus holds that the adequacy of the first object must be maintained, so that should there be question of the adequacy of commonness all sharing the note must be recognized as pertaining to the natural object. However he does not consider that grasp of the common notion "being" allows for the deduction of all contained virtually in the first object of the intellect[34].

The real answer to the difficulty regarding the first object of the intellect is, says Scotus, that being *qua* being is the natural primary object of the intellect in the sense that it is the object to which the faculty is *inclined* or ordered, but it is false to claim that being *qua* being is naturally attainable as the adequate object[35].

The most recent interpreter of this question misrepresents Scotus's thought here. Micklem says that the first initial argument was "every faculty which has for its primary natural object some common field is adequate to all that is contained in that field as being its natural object: the intellect is a faculty that has for its primary natural object a common field: therefore the intellect is adequate to all that is contained in that field (. . .)"[36]

Having presented a version of Scotus's criticism of the first solution proposed, together with the distinctions which Scotus recognizes in the matters before us, Micklem gives what he believes is the Subtle Doctor's own solution: "The real reply to the argument, he says, is different. The minor premiss in the syllogism was, the intellect is a faculty which has for its primary natural object a common field. This minor premiss is false in respect of the natural object understood as naturally attainable; but it is true in another sense, that is if we take the natural object to be that towards which the capacity is naturally disposed"[37].

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[33] Cf. *Ord. Prol.*, n. 1.

[34] Cf. *Ord. Prol.*, n. 91.

[35] Cf. *Ord. Prol.*, n. 92.

[36] N. Micklem, *Reason and revelation* . . . 1953, p. 55.

[37] *Ibid.*

Actually, the minor in the argument was not that which Micklem presents, it was the contention that *being as such* is the first natural object. Scotus in paragraph n. 91, on the occasion of his criticism, *distinguishes two possible acceptations of "being" in that minor.* He points out that to know being by a single intellectual act is not the same as to know it as the primary object of the intellect, which involves the attainment of knowledge of each single intelligible. He concedes that it can be attained naturally in the first fashion. He denies the second is naturally attainable. It is with reference to being in that second sense, *not to being as a common field*, that, in the solution, he judges us to be inclined towards being as a natural first object, though we cannot naturally attain a grasp of it as such.

Later in the prologue, during rationalist counter-objections to the theologian's arguments, the assertion is repeated that being is the first object of the intellect, and it is claimed that it is a naturally known fact that being is such. Scotus denies that we know naturally that indeterminate being is the first object of the intellect, and that we attain knowledge of being now in that capacity[38]. We have seen the reasons for his recognition that the natural object of our intellect must be more than the philosopher recognized. But the transfer of the problem of the first natural object of the intellect from the domain of the purely rational should not be taken as indicating a general tendency to restrict the domain of natural reason.

The uses of the word "natural" must be carefully distinguished. Error could easily from an undiscerning acceptance of wording such as this sentence of Gilson: "On ne peut pas savoir de quoi l'intellect est naturellement capable si l'on ne bénéficie pas des lumières de la révélation"[39].

"Natural" may refer to what a potency is *inclined* to (either form or agent introducing form), or it may refer to what a potency *can attain* without the aid of agents other than those made so as to activate it[40]. To know what is the "natural" capability of our intellect in the first sense, that of inclination, might well be a theological problem. As for the second sense, our reason is quite capable of assessing what we can "naturally" do. Scotus admits the views of philosophers in that sphere, but as a theologian he reserves to himself and exercises the right to prevent them unduly limiting what the theologian claims we are inclined towards, that which we are radically capable of, if given the necessary aid.

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[38] Cf. *Ord. Prol.*, n. 33.
[39] Gilson, *Jean Duns Scot . . .*, p. 33.
[40] Cf. *Ord. Prol.*, n. 92, and Gilson , *Jean Duns Scot . . .*, p. 55, note 2.

Scotus tries to indicate the limits of philosophy. Of course such a "criticism of science" need imply no restrictive tendency with regard to the legitimate claims of the natural reason. Gilson expresses well what we would find in this whole question: "Il ne cherche nulle part à diminuer la philosophie comme telle, mais à marquer son insuffisance en vue du salut de l'homme"[41]. Yet one finds in the work of the eminent medievalist suggestions that the above statement about "*philosophie comme telle*" must be understood in some special way. Commenting on the text of Scotus about the impossibility of natural attainment of the first natural object of our intellect Professor Gilson wrote: "Texte d'une importance vraiment capitale, d'abord parce que ses conséquences couvrent le domaine entier de la philosophie. Si nous ne pouvons même pas savoir naturellement que l'objet premier de notre intellect est *l'ens commune*, comme cet objet est en même temps celui de la métaphysique, nous ne pouvons pas naturellement savoir quel est l'objet de la métaphysique. Dans ces conditions existe-t-il une seule thèse métaphysique que nous puissions savoir de science naturelle?"[42]

May we not wonder if those views published seventeen years ago are still implied in such observations as this, made in the same connection in Gilson's latest book: "cette fois la connaissance philosophique totale se trouve mise en cause avec et par la métaphysique"?[43]

Wolter has pointed out that "the problem of the adequate object of the intellect must not be confused with the problem of being as the subject of metaphysics, as has been done, for example, by Gilson and others. The solution of the latter has nothing to do with revelation, whereas a complete solution of the former is possible only by taking into account what we know by faith".[44] At the same time we note that in another text of Scotus, his *Questions on the Books of the Metaphysics of Aristotle*, the Subtle Doctor recognizes that: *Primus habitus potentiae habet pro obiecto obiectum primum potentiae primi habitus: ut metaphysicae obiectum primum est ens inquantum ens*[45]. This is offered by Scotus as part of an answer against St. Thomas's view that the first natural object of the intellect is abstraction from the sensible. It is an argument proceeding from metaphysics to the first object — being is the first object of metaphysics, therefore, the intellect must also have this as an object. To this, in due course, the objection is raised *tunc intellectus posset naturali virtute in cognitionem omnium entium*, and this objection goes unanswered in the text of the *Questions* which is available.

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[41] Gilson, *Jean Duns Scot . . .*, p. 634.

[42] Gilson, *Les seize premiers Theoremata . . .*, Archives d'Histoire doctrinale et littéraire du Moyen âge, 1937—38, p. 52.

[43] Gilson, *Jean Duns Scot . . .*, p. 653.

[44] Wolter, *The transcendentals . . .*, p. 73; *The "Theologism" . . .*, Franciscan Studies, VII (1947), p. 382.

[45] *Quaestiones super Libros Metaphysicorum Aristotelis*, Book II, q. 3; Wadding-Vivès, VII, p. 111.

This draws our attention to the crux arising from a) Scotus's endeavour to extend the scope of our intellect so as to be able to embrace our last end without being essentially changed, and b) at the same time his anxiety not to provide rationalists with an argument for the complete competence of the reason in respect of everything that exists.

This same difficulty is shown excellently by an addition to the new edition of *Ordinatio* I, a. 3, q. 3. In an argument against the view that our intellect is not confined in scope to the sensible, the attainment of being in metaphysics is cited as proof. We read in the Wadding-Vivès edition: *Quidquid per se cognoscitur a potentia cognitiva, vel est ejus obiectum primum, vel continetur sub illo obiecto; ens autem, ut est communius sensibili, per se intelligitur ab intellectu nostro, alias metaphysica non esset magis transcendens quam physica . . .*"[46]

To this Balič now supplies the additional consideration: *Si ens esset primum obiectum hoc esset secundum totam indifferentiam ad omnia in quibus salvatur, non ut aliquod unum intelligibile in se — et quidlibet illius indifferentiae posset intelligi . . . ideo non est obiectum adequatum pro nunc*[47].

Scotus's solution distinguishes clearly what we attain "*ut aliquod unum intelligibile in se*", and what is involved in his idea of first object of the intellect "*secundum totam indifferentiam ad omnia in quibus salvatur*". It is the latter, not the former, which we cannot attain now.

As to the statement in the *Questions on the Books of the Metaphysics* which we mentioned above — that the object of metaphysics is the same as the first object of the intellect — this is clarified by consideration of another distinction which Scotus must make to avoid such a difficulty. Metaphysics, as used in that statement, refers to the ideal "objective" science, the linkage of "causes" of all things. That is knowledge attainable only by one with intuitive knowledge of being in such a way as to attain *a priori* scientific knowledge of all things; it corresponds, in fact, to God's knowledge. There is by no means question there of metaphysics as attainable by us now, an *a posteriori* science. The discussion of the "objective" hierarchy of sciences is not what enters into the scope of the present discussion, but the status of sciences as they can be attained by man in his present state.

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[46] *Ord.* I, d. 3, q. 3; Wadding-Vivès, pp. 89—90.

[47] C. Balič, *Circa positiones fundamentales . . .*, Antonianum, XVIII (1953), p. 273.

As we have seen, Scotus agrees with the philosophers that the motive of our knowledge at present is abstractions from the sensible, by means of the phantasm and intelligible species. By this manner of knowledge we do not attain all beings in their actual existence, hence neither do we attain knowledge of the modes of that existence. It is only by intuitive knowledge that such can be attained[48].

The univocal being which is the basis for Scotus's metaphysics is abstract. There is never any question, then, of our being unable to attain this, and all that can be derived from such a knowledge. What is denied is that we could have *intuitive knowledge of all beings*, a much more perfect form of knowledge, which involves each one of them being known in its actual individual existence.

It is the difference between these two manners of knowing being which forms the background of Scotus's statement in our text that "in so far as 'being' is something that can be grasped by the intellect in a single act (as 'man' is grasped in one intellectual act), 'being' can be known naturally (for this one concept of being in so far as it is a concept of one object is something natural), still it cannot be maintained that being is the primary object naturally attainable. For being is the first object in so far as it is included in all objects *per se*, and as such it would be naturally attainable only if each of these objects were naturally attainable"[49].

Scotus's views on the autonomy of metaphysics are made more certain by a text from the famous unpublished *Lectura examinata*. Speaking of his proof for being as the first object of the intellect, as opposed to abstractions from the sensible, he says: "But you say that the reason proceeds from things believed, and not by natural reason, because it is believed that we are beatified in immaterial substances. I prove it by natural reason: No cognitive potency can know anything under a more universal aspect than the aspect of its first object, because in that case that aspect of the first object would not be adequate to the object. It is clear, indeed, from an example. The sight does not know anything under a more common aspect than the aspect of colour or light. But our intellect naturally knows something under an aspect more universal than is the aspect of the imaginable, because it knows something under the aspect of being. Otherwise metaphysics would not be a science knowable naturally to our intellect. Which is false. For though it considers sensible substances it abstracts from them in so far as sensible; however it considers things separate from matter according to being"[50].

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[48] Cf. E. Bettoni, *Il problema della cognoscibilità di Dio nella scuola francescana* (Il pensiero medioevale, Collana di storia della filosofia, I serie, vol. 1). Padua, 1950, pp. 341 sqq.

[49] *Ord. Prol.*, n. 91.

This text does not give a rational proof that being is the first object of our intellect according to entire indifference to sensible and insensible. It indicates the *falseness* of the contention that the first object should be confined to sensible quiddities, by showing that in fact we attain a wider field of objects. However, it makes quite clear that Scotus holds we can naturally know being as the subject of metaphysics, just as paragraph n. 91 in our text concedes that we can naturally attain knowledge of common being, but not being as including virtually knowledge of all that is knowable i. e. as first object of the intellect.

So when Scotus is arguing against a view that our mind is limited in scope to abstraction from the sensible, he appeals to our grasp of being, which in some way is wider than the merely sensible. The adequate object of the intellect in our present state is not "id quod supremae sensitivae, quia intelligit omne inclusum in sensibili essentialiter, *usque ad ens*, sub qua indifferentia nullo modo sensus cognoscit"[51]. But being is not known as totally indifferent to sensible and insensible *as first object of the intellect* i. e. informing us (naturally) that everything, material or immaterial, which shares in being can be grasped in itself. "Est primum obiectum ut includitur in omnibus per se obiectis, et ut sic non est naturaliter attingibile nisi quodlibet illorum sit naturaliter attingibile"[52].

The curious fact must be noted that in the same *Reportatio* which clarifies so well Scotus's attitude towards rational attainment of metaphysics, while he admits that proof of the first object depends on faith, there is an argument which uses the attainment of the first object of the intellect to show that we are ordered towards more than natural knowledge of God! "All our naturally gained knowledge of God, caused in us by equivocal effect, is imperfect . . . Our intellect has being as first common object and indifferent to God and creatures, either univocally or at least analogically; therefore God under the aspect of deity is *per se* contained under being, therefore it is *per se* object of our intellect. Therefore, we can have a nobler and more perfect knowledge of God than in effect (i. e. by effects), in His actual existence"[53]. Does not this suggest that we know naturally the first object of our intellect, seeing that we use it as a basis of this argument?

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[50] *Reportatio* I A *("Lectura examinata")* Manuscript Vienna, *Bibl. nat.*, *Cod. lat.*, 1453, ff. l*ra*—125*va*. d. 3, q. 1, in corp., f. 20*v*: Sed dices quod ratio procedit ex creditis et non ratione naturali, quia creditum est nos beatificari in substantiis immaterialibus. Probo per rationem naturalem: Nulla potentia cognitiva potest cognoscere aliquid sub ratione universaliori quam sit ratio sui primi obiecti; quia tunc illa ratio primi obiecti non esset obiecti [*in corr.*, the first reading was probably *sibi*] adequata. Patet etiam in exemplo. Visus non cognoscit aliquid sub ratione communiori quam sit ratio coloris vel lucis, sed intellectus noster naturaliter cognoscit aliquid sub ratione universaliori quam sit ratio imaginabilis, quia cognoscit aliquid sub ratione entis, alioquin metaphysica non esset scientia intellectui nostro scibilis naturaliter. Quod falsum. Quia licet consideret de substantiis sensibilibus, tamen abstrahit ab eis in quantum sunt sensibilia; considerat autem de separatis a materia secundum esse.

[51] *Ord.*, I, d. 3, q. 3. (Ed. Vaticana, III, n. 123; this is part of the addition to the text of the Wadding-Vivès edition which we mentioned above. Cf. note 47).

[52] *Ord. Prol.*, n. 91.

We suggest that like all the arguments of the theologians for the existence of the supernatural, this cannot be a fully rational proof, as Scotus makes clear in paragraph n. 12 of our text of the *Ordinatio*. "Proofs", or more properly motives, for accepting revelation, should no doubt be partly metaphysical, because the God who reveals is super-empiric. But they cannot be entirely derived from natural reason alone, otherwise they would not attain their purpose — to indicate the supernatural revelation of mysteries inacessible to our unaided reason. The major in this argument is a fact naturally known from the nature and object of metaphysics: "all our naturally known knowledge of God caused by equivocal effects, is imperfect". The minor, then, would not claim to be a purely natural datum, but depends essentially on something believed, which is developed by Scotus in terms of his understanding of the first object of the intellect. It is only by presuming the theological fact of beatitude that Scotus knows certainly what the first object of the intellect is; it is a truth for which only a rational persuasion can be given: the first object must be wider than sensible quiddities, we have a grasp of being which transcends that[54].

He knows, then, that our knowledge of being as first object should embrace God's being. From the notion of the first object of the intellect he concludes that we must be able to attain all knowledge contained under it. But of course the keystone of this whole persuasion is a thing believed, and the development adds no proof in the strict sense to the simple belief that we must attain beatitude. At the same time, the rational persuasions which are offered by Scotus for the extension of the field of our intellect beyond the sensible point to the reasonableness of the theological view of the first object, though they do not prove positively what that first object is. Hence, this proof has some persuasive worth. But as Scotus has shown himself fully aware of the rationalistic deductions possible from the concession of the natural attainability at present of the first object, and as he does not believe that fully rational proofs for supernatural revelation are possible, it is most unlikely that he meant to convey here a fully rational argument based on the first object — which would thus be taken as naturally attained.

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[53] *Rep.* IA, *Prol.*, q. 2 a. 2. (Vienna, *Bibl. nat. Cod. lat.* 1453, f. 8*v*): Omnis nostra cognitio naturaliter habita de Deo causata in nobis per effectum aequivocum est imperfecta (. . .) Intellectus noster habet ens pro primo obiecto communi et indifferenti ad Deum et ad creaturas, vel univoce saltem analogice; ergo Deus sub ratione deitatis est per se contentum sub ente, ergo est per se obiectum intellectus nostri. Nobiliorem ergo et perfectiorem cognitionem possumus habere de Deo, quam in effectu, in existentia eius actuali.

[54] Cf. new addition to *Ord.*, I, d. 3, q. 3, Ed. Vaticana, III, n. 123. Cf. note 47.

Scotus's attention was directed to the question of the first object of the intellect by the importance of beatitude in the practical science of theology, and because of errors of certain philosophers on that precise point. The necessity for accuracy of distinction here had been foreshadowed by Henry of Ghent. Speaking of the errors of philosophers about our attainment of beatitude he mentioned two types of error. Some, following the natural desire for beatitude, employed themselves in seeking means to satisfy this desire naturally, others, seeing that with their concept of the radical abilities of our faculties it would be impossible to advance in the way suggested by the desire for beatitude, refused to recognize what it points to[55].

Scotus recognized in us the desire for beatitude. His views on the first object of the intellect ensure that we have a radical capability to have that desire satisfied. So philosophers cannot allege that the desire seems "vain in nature" because we have not the potency for that which it indicates. If being, indifferent to material and immaterial, is the first adequate object of our intellect, then we are capable of possessing the beatitude towards which we are inclined.

At the same time, as Scotus held for a metaphysics of univocal being, he had particular need to show firmly to rationalists that they cannot naturally attain knowledge which is necessary for beatitude just because they have a correct realization of what the first object is. That realization derives from theology. Recognition is thus given to man's radical potencies, but within the scope of knowledge a sphere is still reserved where revelation is necessary.

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[55] Cf. Henricus Gandavensis, *Summa quaestionum ordinariarum theologi recepto praeconis solemnis Henrici a Gandavo*. Paris, 1520. (Reprint vol. I, St. Bonaventure, N. Y., 1953), a. 4, q. 5, in corp. et ad 5 (I f. 32B, 33E—I).

This shows in what sense one should agree with Gilson's statement "on ne peut pas savoir de quoi l'intellect est naturellement capable, si l'on ne bénéficie pas des lumières de la révélation". To know being as the subject of metaphysics attainable naturally by man is to know being abstracted from the sensible, common to all beings, creatures and creator. But to know being as the first object of the intellect is to know every being as it shares in its individual fashion in being: to such an object we are directed, but to it we may not naturally attain. Once that has been made clear in the face of rationalist claims Scotus's point is gained; we need not be surprised to find here no special effort to emphasize man's unaided powers. Yet the text from the *Lectura examinata*, giving an argument based on the rational attainability of metaphysics, leaves no doubt as to the power conceded by the theologian to the unaided reason, nor indeed does it leave any doubt about the desirability of proofs which are recognized as independent of revelation.

The transfer of the problem of the first object (as understood by Scotus) to the domain of theology, once the problem is understood as separate from the object of our metaphysics and the actual motive cause of our knowledge, cannot be said without danger of misunderstanding to "involve all philosophical knowledge together with and through metaphysics". A critical assessment of what reason can do, made in the light of theology, still allows the autonomy of rational research, and its development without formal dependance on revelation. To ignore the distinctions Scotus holds for in his treatment of this complex problem, is to miss the advance our doctor made in meeting the difficulties which had been noted by Henry of Ghent as those of "the philosophers".

Objects attainable in sciences

Again, when replying to Aristotelian views characteristic of his opponents, Scotus concedes that the speculative sciences treat of all speculative things, but he points out that they do not exhaust all that can be known about the objects, for they fail to treat of what is proper to some objects[56].

Metaphysics, which treats of being as common to material and immaterial, cannot attain to knowledge of more than those qualities of the immaterial which are derivable from such a general notion. In our present state we are incapable of intuition of immaterial substances, e. g. angels and God, from which might be deduced their properties *(scientia propter quid)*. Neither is there any means at our disposal for knowing these properties *a posteriori*. That leaves a domain of knowledge which is unattainable by our natural powers[57].

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[56] *Ord. Prol.*, n. 82.

Though in the *Ordinatio* at this place Scotus simply refers us to the exposition of this view in the argument of the theologians, in the *Lectura Oxoniensis* we find a note which gives a resumé of his teaching in connection with this argument: "Hence I say, as I have already said, that though the natural sciences which are enumerated in *Metaphysics VI* are of all subjects about which speculation is possible, they are not of them according to their quidditive aspect, hence neither are they of their properties according to their proper and quidditive aspect, as is clear regarding angels in metaphysics"[58].

This view does not stress the function of metaphysics as dealing with the separated substances, but as a universal abstract science. It was emphasis on its role of dealing with one of the divisions of being, as opposed to what is dealt with by physics and mathematics, which was one of the characteristics of the objection which Scotus is answering. But Scotus is quite consistent with the teaching of Aristotle when he holds that knowledge of the all the properties of separated substances is above our natural powers. Aristotle explains nowhere how the mind, starting with material and sensible objects, arrives by simple abstraction at the proper notion of a real immaterial not perceptible by the senses, not to mention the properties of such a being![59]

Gilson has made some interesting deductions from this part of our question. He represents Scotus's view on the theologian, as he finds it here, in the following way: "Il n'est pas un homme qui parlerait d'un objet dont, par une autre méthode, pourrait aussi parler le représentant d'une autre discipline; le théologien est un homme qui parle d'un objet dont, sous l'aspect où lui-même l'envisage, lui seul peut parler. Aucun doute n'est possible sur le point qu'il s'agit d'établir. Même en admettant, comme le veulent les philosophes, que la métaphysique dont l'objet est l'être, soit en droit compétente pour traiter de tout ce qui est, on n'est pas tenu d'admettre qu'elle soit compétente pour traiter des objets de toutes les sciences en tant qu'ils sont *leurs objets propres*.

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[57] *Ord. Prol.*, nn. 40, 41.

[58] *Lect. Ox.*, *Prol.*, pars I, q. I. V — Adnotationes: Ideo dico, sicut dixi, quod licet scientiae naturales, quae numerantur in VI *Metaphysicae*, sint de omnibus subjectis speculabilibus, non tamen de eis secundum rationem quiditativam eorum, nec per consequens de passionibus illorum propriis secundum rationem propriam et quiditativam istorum, sicut patet de angelis in metaphysica.

[59] Cf. A. Mansion, *Introduction à la physique aristotélicienne*. 2e éd., revue et augmentée (Aristote. Traductions et Études). Louvain, 1946, p. 136.

[Emphasis Gilson's.] Manifestement, c'est l'objet propre de la théologie comme telle dont il s'agit ici d'assurer la spécificité distincte. L'opposition de Duns Scot à Thomas d'Aquin sur ce point exprime le refus d'admettre qu'il y ait une aire partiellement commune à la métaphysique et à la théologie"[60].

The marks of emphasis in Gilson's version mark a misinterpretation of Scotus's meaning, made possible by the text used by the Professor. That text reads: *Ideo ad argumentum respondeo, quod in illis scientiis speculativis etsi tractetur de omnibus speculabilibus, non tamen quantum ad omnia cognoscibilia de eis, quia non quantum ad propria eorum cognoscibilia de eis*[61].

The critical text leaves less room for error: *Ideo ad argumentum respondeo quod in illis scientiis speculativis etsi tractetur de omnibus speculabilibus non tamen quantum ad omnia cognoscibilia de eis, quia non quantum ad propria eorum*[62].

The properties or special knowables referred to by Scotus here are not the proper objects of sciences as such, but the intelligible properties of the separated substances. Therefore it is incorrect to say that the opposition of Duns Scotus to Thomas Aquinas on this point expresses refusal to admit that there should be a field partially common to metaphysics and theology. That is a problem which one is not warranted to introduce *a propos* of this passage, it has no basis in the text we are studying.

What the argument from Aristotle's failure shows

Up to this we have been discussing sections of the question where Scotus presents the rationalist case and his own replies. In the course of the discussion of the theologians' positive arguments for the necessity of revelation there occur some further passages which may be clarified by recent studies.

The additional note which is found in the Vatican edition as a preface to the theologians' arguments serves to emphasize Scotus's continual attention to the character of his opponents' views. He obviously realizes the importance here of the distinction between reasonable arguments or persuasions and apodictic arguments of pure reason.

The very prominence which Scotus gives to what surely would be a most important persuasion for opponents who appeal to the philosophic tradition, Aristotle's success or failure with regard to knowledge of our end, has, however, been construed as indicating a special attitude towards philosophy as such. Gilson writes: "Son argumentation présente cette remarquable particularité, qu'elle porte d'abord directement contre Aristote, comme si prouver qu'Aristote a ignoré la fin dernière de l'homme équivalait à prouver que la philosophie même est incapable de la connaître . . . Duns Scot argumente contre Aristote comme si ce qu'Aristote avait ignoré était de plein droit inaccessible à la connaissance philosophique. Tout se passe donc comme s'il acceptait implicitement l'identification effectuée par Averroès, entre Aristote et la philosophie. D'où cette inférence de longue portée, que ce qu'Aristote lui-même n'a pas su, la raison humaine ne peut pas le savoir et qu'il suffit d'établir qu'Aristote a ignoré quelque vérité métaphysique pour établir que la raison naturelle ne saurait l'atteindre par ses propres forces. Cet état d'esprit, que certains commentateurs de Duns Scot ont exprimé de façon pittoresque, implique cette conséquence importante qu'au lieu de considérer la philosophie comme une entreprise humaine toujours perfectible, notamment grâce aux suggestions de la révélation, on la traite comme une discipline achevée, ou plutôt finie, dans tous les sens du mot . . ."[63].

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[60] Gilson, *Jean Duns Scot* . . ., pp. 42—43.

[61] Cf. Gilson, *Jean Duns Scot* . . ., p. 42, note 3. *Op. Ox.*, *Prol.*, q. 1, a. 5, n. 28; [Quarracchi edition], t. I, p. 26.

[62] *Ord. Prol.*, n. 82.

In view of the fact that Scotus makes it clear that he would wish to conform his arguments to his opponents' mentality, and in view of the fact that he evidently recognized the importance of Aristotle's authority in their eyes, the opening by a consideration of the attainments of the Stagirite is not, after all, so very remarkable a feature. If it is true that Scotus "accepted implicitly the identification made by Averroes between Aristotle and philosophy", it seems to us that he accepted it as the attitude of his own opponents, an attitude which we know from other sources to be historically probable in rationalists of his time. We would not, then, consider it right to draw from arguments which Scotus framed to meet such opposition the conclusion that he himself believed proof of Aristotle's ignorance of man's end to be equivalent to proof that philosophy could not attain that knowledge. For the orthodox theologian that is a truth which must be revealed; to the "philosophers" he offers an *argumentum ad hominem:* Aristotle did not discover it!

Speaking of this "proof from the failure of the philosophers" Gilson says: "Ceci ne prouve pas que la raison naturelle en soi ne puisse pas le connaître, mais comme elle ne le peut pas à partir des principes des philosophes, elle ne le peut pratiquement pas. On dira : que les philosophes changent de principes! Assurément, mais hors les principes des 'philosophes' il n'y a que ceux des 'théologiens' (...)"[64].

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[63] Gilson, *Jean Duns Scot . . .*, pp. 19—21.

But we may not conclude that Scotus would consider that every deviation from the principles of the "philosophers" of the past pertains to the theologians *in that peculiar* way which leaves it unacceptable in principle to a "*philosopher*", i. e. because it is not a "use of natural reason" but "an argument from beliefs". In other words, if any advance is made in fact by those persons who are "theologians" it is by no means believed by Scotus to be such as would be in principle *unacceptable* to a "philosopher" by the mere fact that it was not before achieved. In that sense he does not identify our philosophy with past achievements. The principle which he emphasizes in this discussion when evaluating arguments is not their conformity with the past but whether or not they "*have as one premiss something believed or proved from something believed*"[65].

There is not justification here to suppose that Scotus wished every advance made by "theologians" to be considered essentially "theological" as opposed to "philosophical". His principal observation regarding reason here is not that a truth be "apportant à la raison naturelle une satisfaction à laquelle elle aspire confusément sans être capable, à elle seule, de se la donner"[66], it is said expressly to be that the truth in question *be not derived from a belief as a premiss*. So if we discuss "rational" and "theological" according to the most important and explicit indications given here we are entitled to conclude more than that Scotus would hold that "le raisonnable que la révélation découvre à l'homme entre de plein droit dans la théologie sans rien perdre de sa rationalité"[67]. We can get in our text the precise meaning Scotus would substitute for "découvrir" in this connection: Providing only that the truth did not derive from belief *as a conclusion from a premiss*, he would include the truth among those of natural reason and acceptable to philosophers, and *as distinct from such other truths of the theologians which — to use his words — are no more than theological persuasions from beliefs to a belief.*

Having examined and found wanting the authority of Aristotle in connection with the attainability of our last end, Scotus goes on to show by reason that man cannot know his end sufficiently distinctly. In the course of this discussion we find a reference to a text of the *Ordinatio* which throws light on Scotus's attitude towards the philosophers and philosophy. We are reminded that Scotus in Book IV, d. 43 denies that immortality can be apodictically proved by reason.

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[64] Gilson, *Jean Duns Scot* ..., p. 642, note 1.
[65] Cf. *Ord. Prol.*, n. 12.
[66] Gilson, *Jean Duns Scot* ..., p. 55, note 2.
[67] *Ibid.*

Regarding the rational attainability of certainty about immortality Scotus faces an attitude which is the same as that implied in the question we are studying, when he sets out to disprove the attainments of Aristotle with regard to knowledge of our end[68]. To those who point to the attainment of proof of immortality by the philosophers Scotus gives answer by examining that authority. The worth of the teaching of philosophers must be tested to see whether it really succeeds in doing what it might claim to do.

One may not take it that everything said by a philosopher, e. g. Aristotle, is a strict demonstration, even if it seems intended as such. Often they had to be content with probabilities, and sometimes they were mistaken in thinking they had provided apodictic proof.

Here Scotus opposes the attitude of regarding the past acquisitions of philosophers as proof of natural attainability. We suggest that is the attitude which he had in mind when opposing the rationalists in the opening question of the *Ordinatio*. His reply takes the form of a challenge to the essential rational worth of the alleged attainments, not thus proving directly their inattainability, but defeating the appeal to the very authority which was so dear to the rationalists of the late thirteenth century. Scotus exercises the right to evaluate the attainments of past philosophers not only in so far as they might be in opposition to revealed truths, but as *rational*. So, though he uses the term "philosophy" here in reference to past doctrines, he shows that he distinguishes clearly among them those doctrines which are rationally justifiable in their essence.

Again in the course of the second principal argument of the theologians Scotus cites the failure of philosophers in the past[69]. Attached to the opening of the argument (which is based on the necessity of knowing our end and the means towards it) we find this annotation by Scotus: *Haec procedit de contingentibus; ergo non de scibilibus*. The minor of the argument points out that it cannot be known naturally how and by what means the end is attained, *because* beatitude is granted as the reward of merits which God accepts as worthy of such a reward, so it does not follow with natural necessity from any kind of act which we may be able to perform but is freely given by God. To this Scotus adds the note "*Hoc est creditum*". After that proof that we cannot know the

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[68] Cf. *Ord.*, IV, d. 43, q. 2; Wadding-Vivès, XX, p. 46.

[69] *Ord. Prol.*, nn. 17, 18.

means to our end there follows: *Istud non est naturaliter scibile, ut videtur, quia hic etiam errabant philosophi, ponentes omnia quae sunt a Deo immediate, esse ab eo necessario. Saltem alia duo membra sunt manifesta.*

In this phrase Scotus argues as he did in the first principal argument of the theologians; he cites the failure of the philosophers in the past. He recognizes himself the repetition of this tactic: *hic etiam errabant philosophi.*

Some light would be thrown on Scotus's evaluation of proving the absolute unattainability of truths by considering past failures, and also on Scotus's attitude towards philosophy, if we could establish the meaning of *ut videtur* in the above text. Wolter translates this: "as is clear", and Micklem as "obviously". Such wording might indicate that Scotus considered the argument a telling one in itself, though it might also be understood perhaps as slightly ironic *argumentum ad hominem.* Gilson recognizes that another interpretation of *ut videtur* is possible. It could be an expression of reserve:" aucune nuance n'est introduite dans le débat sauf, peut-être, un *ut videtur* . . ."[70].

It appears to us that the note of reserve or the citation of an example is what Scotus meant to convey here. Otherwise it is difficult to explain the opening of the sentence which follows: *saltem alia duo membra sunt manifesta.* If such is the meaning, Scotus is seen to be more cautious in basing on the attainments of past philosophers an argument about the possibilities of the unaided reason, though (because of the attitude of his adversaries) he would give prominence to past failures. This leaves us still more dubious about Professor Gilson's interpretation of Scotus's general attitude as being one which takes our philosophy as such to be only that which has been attained by philosophers in the past.

It is particularly important not to draw too wide a conclusion from the use made here of the argument from past errors of the philosophers. Because the error in question at this stage is the belief that everything that is immediately from God derives necessarily from Him. Gilson remarks that this is the only thesis which Scotus imputes to the "philosophers" in common[71]. If our doctor could be said to put forward here as a "clear" or "obvious" proof of the unattainability of a truth by unaided reason the past failure of philosophers due to their necessitarianism, then indeed he would seem to identify our philosophical capabilities with what the "philosophers" attained, or what flows inevitably from the principles held by them. Whatever derives from a deviation from such principles would not only never be termed "philosophy", but practically would not be the fruit of unaided reason.

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[70] Gilson, *Jean Duns Scot . . .*, pp. 21—22.

[71] Cf. Gilson, *Jean Duns Scot . . .*, pp. 175, 624, 641.

Our text does not justify such conclusions. It is not certain that Scotus considered this to be a "clear" or "obvious" proof in itself for natural unattainability. By the notes he appended to the *Ordinatio* Scotus shows that his own appreciation of the essential proof of the minor in this argument refers to the belief that merit is contingent. Of the argument he said: *Haec procedit de contingentibus; ergo de non scibilibus;* to the minor which pointed out the contingence he adds: *Hoc est creditum,* the reference is to a particular truth of revelation. What is added, regarding past errors, would be an apt *argumentum ad hominem* against such as exaggerated the acquisitions of philosophers in the past. The secondary role of this part is indicated by the fact that this element is missing entirely in the parallel passage of the *Lectura Oxoniensis.*

When, in the course of the third main argument of the theologians, Scotus speaks of the unattainability of certain necessary truths we meet a very important instance of the argument from the failure of philosophers in the past. There is question of the contingent causality of the First Substance in its external relations. The opinions of the philosophers are taken to show that effects rather mislead one on this point. The text reads: *Proprietas etiam istius naturae ad extra est contingenter causare: et ad oppositum huius magis effectus ducunt, in errorem, sicut patet per opinionem philosophorum, ponentium primum necessario causare quidquid causat.*

This is a very important instance of the argument from the failure of philosophers in the past. It seems the strongest support available throughout this question for the contention that Scotus thought that what had been achieved showed what could be achieved by us unaided. The unequivocal "*patet*" is used to indicate the proving-power of the argument. Also, the truth missed by the philosophers — the free causality of God *ad extra* — does not bear the same relation to necessary revelation as other truths which Scotus cites as matters where the men of the past failed (the Trinity, gratuitous beatitude, nature of the beatifying object), so it would seem to support the contention that *any* truth unattained is unattainable in the future.

Yet we note that in this particular instance the matter for which this type of proof is given is not directly the unattainability of the knowledge, but the fact *that effects rather lead to error*. It is the interpretation of: *ad oppositum huius magis ducunt, in errorem,* which is significant. Micklem favours this meaning: "its effects lead us further astray". If a certainty of error as the result is understood, then this "obvious" proof from the failure of philosophers should perhaps be taken also as an "obvious" proof of the limits of what is possible of attainment by the natural intellect which must rely on these effects. Then indeed the achievements of philosophers would be considered the equivalent of our capabilities while unaided.

But we doubt if the phrase: *ad oppositum huius magis effectus ducunt, in errorem* should be given such a strong interpretation. As Gilson says: "Ne disons pas qu'elle y soit condamnée, mais les effets divins y conduisent plutôt qu'à la vérité: *magis deducunt effectus in errorem*". Because in the *Lectura Oxoniensis* the suggestion which is found in the mistake of Aristotle is not that without revelation we are doomed to the same errors as our predecessors; allowance is made for doubt also, as was mentioned already in our proof, "the effect leaves the intellect in doubt with regard to these properties or even leads it into error". The proof in the *Lectura* is not based essentially on the citation of the example of what happened in the past — that is offered as an indication — the proof rests on what Scotus accepts as the nature of the causality of God. He does not say clearly that the free causality of God cannot be naturally known — if he did, then this proof from past failures falls into the same category as the one which alludes to such truths as the Trinity. Rather he points out that as the causality is such, we cannot be sure of arguments from effects. This *Lectura* text is: *Nullus enim effectus sensibilis probat Trinitatem, quia probare per simile est causa erroris, cum sit maior diversitas. Similiter libere causat Deus omnia: ideo arguens ex effectibus vel errabit vel erit dubius, sicut patet de Philosopho qui dixit eum semper causare*[72].

The passage of the *Ordinatio* which we have been discussing must be given serious consideration with relation to our interpretation of Scotus's attitude towards the proof from the errors of the philosophers. We do not think that it takes away the probability of the interpretation which we have given, that Scotus cites these errors as arguments against the authority of the past philosophers and not as an absolute argument of impossibilty. This passage does not show conclusively that Scotus considered philosophy an experience already attempted, finished, whose import may be judged as its results are known, so that any advance made over past achievements should not be taken as made by unaided reason.

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[72] *Lect. Ox.*, *Prol.*, pars I, q. 1, I B — *Impugnatio opinionis philosophorum*, 3. Incidentally this text throws some light on Professor Gilson's theory about the examples which must have been uppermost in Scotus's mind as he composed the parallel *Ordinatio* text which the Professor presents thus: "'comme on le voit aux opinions des philosophes, qui soutiennent que le Premier cause nécessairement' (*Op. Ox.*, *Prol.*, qu. I, art. 2, n. 14: t. I, p. 15). Dans une telle formule *Primus* est une marque d'origine qui ne peut tromper: les philosophes en question sont les philosophes arabes". (Gilson, *Jean Duns Scot* . . ., p. 33.) *Aristotle* is the philosopher mentioned in the same connection in the *Lectura*, one of the sources of the *Ordinatio*. The thought is the same in both texts, though the earlier one does not use the term "*Primus*".

Once again it is the opinions held by philosophers in the past which are given to show that it is errors which are likely to result from efforts to attain knowledge of properties through the effects of the other separated substances, the angels or intelligences: "For effects rather lead one to conclude that they are necessary and everlasting beings, according to the philosophers, instead of contingent beings, which have come into existence after being non-existent. Again, these philosophers also seem to conclude on the basis of movements that the number of these pure Spirits corresponds with the number of movements of the heavenly bodies. Again, that these pure Spirits are naturally blessed and incapable of sin"[73]. Scotus's comment on these views is clear: *omnia sunt absurda.*

This blunt and unsympathetic appraisal of their conclusions is not intended as a condemnation of philosophy as such, or of the philosophers who originally made these various errors. The censure should only fairly be applies to the opinions in themselves, as judged now theologically, with reflection only on such as would persist in error in spite of theological guidance. As Gilson shows, the errors mentioned were well-known to be those condemned in 1277. Their cursory enumeration here, with no attempt at specific examination, suggests that the purpose is to give a general indication of the errors that follow a certain method. That it is to the errors themselves that the epithet "absurd" applies is indicated by the parallel text of the *Lectura Oxoniensis: sed ista sunt sophistica,* and by the use of the plural here *quae omnia sunt absurda.* It seems that Micklem has interpreted well when he renders the phrase thus: "All such ideas are most absurd".

One would go beyond the evidence of the texts if one extended this judgement of absurdity to the fundamental process which led the philosophers to these errors[74], i. e. an attempt to describe intelligible being by arguing from its sensible effects. The use of "absurd" here does not in itself give reliable indication of what Scotus's opinion was regarding the philosophical effort made in accordance with all available and apt means.

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[73] *Ord. Prol.,* n. 41.

[74] Cf. Gilson, *Jean Duns Scot . . .,* p. 35: "En entendant Duns Scot conclure que tout cela est parfaitement absurde, on résiste difficilement à lui attribuer une vue assez simple de la situation. Les philosophes n'ont pas su que l'état actuel de l'homme est un état de nature déchue. Ils ont donc pensé que le mode abstractif de connaître, qui est celui de l'homme *pro statu isto,* est aussi le seul mode de connaître dont il soit capable. De là à décrire l'être intelligible à partir de ses effets sensibles, il n'y avait qu'un pas: les philosophes l'ont franchi et,

It seems unjustifiable to interpret the phrase *quae omnia sunt absurda* (used a propos of a list of errors in this third principal argument) by linking it closely with an answer Scotus which gives to an objection in the discussion following the first argument[75]. It is certain that Scotus agreed with Aristotle that the motive of our intellect at present is abstraction from the sensible. It was to exclude the suggestion that we should know of our beatitude because of our knowledge of the first object of the intellect that Scotus emphasized that it is theology and not philosophy which settles the question of the first object. What was said in reference to the problem of the attainment of the first object rather points to the view that the philosophers' viewpoint is by no means absurd, but it must be limited and corrected by theological knowledge for which reasonable support can be offered.

It is the conclusions reached (by purely natural methods) *about the properties of separated substances* which are seen in the light of theology to be absurd, not the methods themselves. Therefore we believe that what Scotus gives here is a judgment that such methods as are available to us are seen by the theologian to be insufficient *in this particular sphere* also. Again it is question of assessing the limits of competence of methods which in themselves are not by any means absurd.

The inadequate arguments

Finally, we think that continued attention to the opposition envisaged by Scotus helps us to understand better why he is not satisfied with two of the arguments proposed by theologians. "These last two reasons do not seem to be very efficacious", he judges. Naturally he would not have expected them to be apodictic, any more than the rest of the arguments which the theologian uses against rationalists on the point at issue.

à partir de ce point, ils sont allés d'erreur en erreur. Ce qu'il faut savoir pour les éviter, c'est que, absolument parlant, l'intellect humain est capable d'intuition intelligible, mais c'est aussi ce dont, dans sa condition présente, l'homme ne saurait s'aviser. La religion seule le lui fait connaître en lui révélant sa fin dernière, qui est la vue de Dieu face à face, et si quelque philosophe prétend l'avoir trouvé de lui-même, il se flatte. Une théologie vient de s'insinuer à son insu dans sa métaphysique, et c'est d'elle qu'il l'a appris".

[75] Cf. Gilson, *Jean Duns Scot . . .*, pp. 34, 35.

But not only does the first of these arguments make that presumption from theology which is common to the rest of the theologians case' i. e. that we are ordered towards the intuitive vision of God as our end, but it makes no attempt to show that natural knowledge does not in fact dispose us sufficiently in our present state for the acquiring of that supernatural knowledge for which we are destined.

As for the second of these unsatisfactory arguments: not only does it also suppose that our end is beatitude, but it begs a further two points, that a knowledge of certain things unattainable by the senses is necessary and that the light of the agent intellect is limited to things that can be known by way of the senses[76].

This criticism of lesser efficaciousness brings into prominence Scotus's anxiety that the arguments should as far as possible take account of the mentality of the opponents to the thesis that some revelation is necessary. Though the arguments must of necessity contain premisses dependent on faith, efficaciousness in the circumstances demands that the rational element which is possible should be fully exploited, and nothing should be presumed which might be justified by rational persuasions or by appeal to some form of authority acceptable to the rationalists.

The text of the opening question of the *Ordinatio* as it is presented in the Vatican edition, together with the translation and plan provided by Wolter, set forth more clearly than ever before the structure of the discussion. Attention to parallel texts and to sources throws some light on obscure points, if one avoids as far as possible interfering with the author's order of treatment and takes full account of the opposition he envisaged.

Such an examination shows that while Scotus was judging the limits of the rational study which we call philosophy he did not exclude its autonomous progress. In this discussion of reason and revelation the consideration of what was already attained by past philosophers was probably emphasized because of the kind of opponents Scotus had in mind. Having regard to the same opposition we find that our doctor gave due emphasis to the essential point differentiating the purely rational from what is not purely rational: it does not depend on belief or on anything derived from belief in the manner that a conclusion depends on premisses.

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[76] Cf. *Ord. Prol.*, n. 53.

ZUR ERSTEN POLEMIK GEGEN AUREOLI: RAYMUNDUS BEQUINI O.P., SEINE QUÄSTIONEN UND SEIN CORRECTORIUM PETRI AUREOLI, DAS QUODLIBET DES JACOBUS DE APAMIIS O. E. S. A.

I.

Schon oberflächliche Beobachtung läßt erkennen, daß Aureoli wenigstens im zweiten und dritten Jahrzehnt des 14. Jahrhunderts in Theologie und Philosophie eine zentrale Stellung einnahm. Immer wieder begegnet man seinem Namen. Im Folgenden möchte ich nur einzelne, freilich recht lückenhafte Hinweise geben, die vielleicht andere zu weiteren Forschungen über die hier hervortretenden Probleme veranlassen. Daß Thomas von Wilton, der zugleich mit Aureoli in Paris lebte, mehrfach zu ihm Stellung nahm, wurde bereits im vorhergehenden Artikel erwähnt.

Ein gleichzeitiger Franziskaner und Schüler des Duns Scotus charakterisiert in cod. Vat. lat. 1113 f. 7r + C 7r Aureoli mit folgenden Worten: Modo 3⁰ adduco contra hanc conclusionem argumenta cuiusdam doctoris (Rand P. Aureoli), qui ubique nititur reprobare venerabilem doctorem fratrem Iohannem Scotum, quem pro posse quasi ubique sequor, quia ipsum diu audivi et dicta eius catholica et rationabilia et minus calumpniosa recte intelligentibus invenio[1].

Auch Augustinertheologen nahmen zu Aureoli Stellung. In dem schon beschriebenen Cod. 63 des Balliol College Oxford finden wir ff. 67r—85v das Bruchstück eines Kommentars zum ersten Sentenzenbuch. Verfasser ist ein englischer Augustinereremit[2]. In der Frage: Utrum theologia sit speculativa vel practica beschäftigt sich der Verfasser außer mit Cowton,

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[1] Siehe die Stelle bei A. Pelzer, Codices Vaticani Latini II, 1, Bibliotheca Vaticana, 736. Auch an manchen anderen Stellen argumentiert der anonyme Verfasser gegen Aureoli.

[2] Daß der Verfasser Augustiner ist, ergibt sich daraus, daß Aegidius viel zitiert und mit ihm die Theologie als affectiva verteidigt wird. Er ist sehr wahrscheinlich Engländer; denn Duns (nicht Scotus) Ware und der wenigei bekannte Couton (Robert Cowton) werden zitiert.

Scotus, Ware, Heinrich von Gent, auf f. 69r mit der Ansicht des Aureoli, desgleichen in der Frage: Utrum theologia viatoris subalternetur theologie beatorum.

Ebenso zitiert der Verfasser eines anderen Bruchstückes aus dem Kommentar zum zweiten Buch in der gleichen Hs ff. 60r—66r in der Frage: Utrum articuli fidei sint principia in theologia neben Durandus, Godefridus, Egidius, Thomas f. 65r Aureoli. Auch er ist anscheinend Augustiner.

2.

Hier möchte ich zunächst einen anderen Pariser Lehrer einführen, dessen Beziehungen zu Aureoli bisher völlig unbekannt waren, den gleichzeitig mit Aureoli lebenden Südfranzosen und Dominikaner Raymundus Bequini. Dieser beschäftigt sich nicht nur in seinen Quästionen eingehend mit den Lehren Aureolis; er hat auch ein anonymes Correctorium Petri Aureoli geschrieben. Nach einer kurzen Notiz Echards[3] hat zuerst Ch. Langlois[4] auf Raymund aufmerksam gemacht und das Verzeichnis der Fragen veröffentlicht.

Die Lebensdaten Raymunds sind nach den von C. Douais[5] veröffentlichten Provinzialkapiteln der Dominikanerprovinz Aquitanien folgende: Student in Montpellier 1302, Sublector in Agen 1303, dasselbe in Bordeaux 1304, in Toulouse 1305, Lektor in Bayonne 1306, in Orthez 1308, in Cahors 1311, in Toulouse 1312, wo er von 1313 bis 1315 Prior war. 1315 wurde er Praedicator generalis. Im Jahr 1317 bestimmte ihn das Generalkapitel von Pamplona für die Sentenzenlesung zu Paris im gleichen Jahr 1317. Als Lektor Sacri Palatii (seit 1321) hielt er 1323 gelegentlich der Heiligsprechung von Thomas an der Kurie eine Lobrede auf den neuen Heiligen, am 19. März 1324 ernennt ihn Papst Johannes XXII. zum Patriarchen von Jerusalem. Raymund starb schon 1328 auf Zypern in seiner Diözese Limassol, die mit dem Patriarchat von Jerusalem verbunden war.

Für die Beziehung Raymunds zu Aureoli sind aus diesen Daten zwei von Wichtigkeit. Als Aureoli 1314 zu Toulouse in einer Predigt in öffentlicher Disputation die Unbefleckte Empfängnis verteidigte[6], war Bequini

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[3] Scriptores Ordinis Praedicatorum 1, Paris 1719, 561.

[4] Histoire Littéraire de la France 35, Paris 1921, 597 f. Die Liste der Fragen hat P. Glorieux übernommen: La Littérature Quodlibétique 2, Paris 1935, 238.

[5] Acta Capitulorum Provincialium Ordinis Praedicatorum, Toulouse 1895, 422. Vgl. Langlois a. a. O. für die übrigen Daten.

[6] Vgl. den Bericht des Alva y Astorga in den: Monumenta antiqua seraphica pro immaculata conceptione 79, bei Noel Valois, Hist. Littér. de la France 33, Paris 1906, 482 f. Auch die früher erwähnte spanische Übersetzung sagt im Wesentlichen dasselbe. Vgl. Zur Überlieferung des Quodlibet und anderer Schriften des Petrus Aureoli O. F. M., Franciscan Studies 14, 392.

Prior des Dominikanerkonventes daselbst. Er kannte wohl auch die in Toulouse verfasste Edition Aureolis zum ersten Sentenzenbuch. Das zweite Zusammentreffen war in Paris, wo er ein Jahr nach Aureoli 1317 die Sentenzenvorlesung begann. Da er jedoch unter den Magistern aus den Mendikantenorden, die mit Aureoli am 13. November 1318 den Eid auf die Statuten ablegen mußten, nicht genannt wird[7], so war er 1318 noch nicht Magister. Sehr wahrscheinlich erhielt er 1319 die Lizenz[8]. Er war also teilweise in gleicher Zeit mit Aureoli Sententiarier und Magister in Paris. Aus diesen Daten ist es leicht verständlich, daß Raymund sich so eingehend mit den Lehren Aureolis und den entgegenstehenden Schwierigkeiten befaßte. Es ist auffallend, daß er im Verzeichnis der Schriftsteller des Ordens von Laurentius Pignon fehlt. Auch Quétif-Echard nennen keine Werke Raymunds. Erst C. Langlois[9] machte auf Cod. 502 der Bibliothek von Reims mit einem Quodlibet ff. 44 v—77 r aufmerksam. Er gibt das Verzeichnis der Fragen und nennt ein zweites Exemplar in Cod. 314 der Bibliothek von Avignon und die erste Frage des Quodlibet in Cod. 275 der Bibliothek von Laon. J. Koch[10] fügt aus Cod. 529 der Universität Leipzig das Bruchstück einer Frage hinzu. Endlich nennt P. Glorieux[11] in Cod. 129 Saint Omer die Fragen 2, 3 und 5.

Zu diesen Hss kann ich Cod. B. VII 28 der Universitätsbibliothek Basel mit den hier anonymen Quästionen Raimunds und in Cod. 314 Avignon ein anonymes Correctorium Petri Aureoli hinzufügen. Letzteres war meines Wissens bisher unbekannt — nur Ehrle hatte eine kurze Notiz darüber hinterlassen. Für die Hss von Reims und St. Omer muß ich auf Langlois und Glorieux verweisen. Es bleibt zu untersuchen, ob die erste Frage: Utrum Christus et Apostoli habuerunt aliqua temporalia in communi quantum ad proprietatem et dominium, in den Hss von Reims und Laon zum sogenannten Quodlibet gehört. Sie paßt sehr wenig als erste Frage eines Quodlibet und fehlt in den Hss von Avignon und Basel[12]. Die in mehr als einer Hinsicht interessante Hs 275 der Universität Leipzig ist von J. Koch[13] mit aller Sorgfalt beschrieben. Es dürfte sich aber zur Erleichterung des Verständnisses und weiterer Forschung lohnen, die beiden Hss von Avignon und Basel etwas genauer zu beschreiben und die bisher gegebene Liste, die unvollständig ist, nochmals zu veröffentlichen.

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[7] Vgl. Chart. Univ. Paris. 2, 227 n. 776.

[8] Nach dem Stamser Katalog (A L K G 2, 216) ist zwischen Jakob von Lausanne (1317) und Raymund nur ein Magister Johannes de Prato.

[9] A. a. O. 36, 599 f.

[10] Durandus de S. Porciano O. P., Münster 1927, 333 (Baeumker Beiträge 26).

[11] La Littérature Quodlibétique 2, Paris 1935, 238.

[12] Es ist mir überhaupt zweifelhaft, ob wir in den Quaestiones ein Quodlibet vor uns haben. Nur die Leipziger Frage: Utrum beatus videns Deum videat in ipso omnia wird im Explicit als zu einem Quodlibet gehörig bezeichnet. Sie ist aber nicht, wie Glorieux meint, mit Frage 4 der veröffentlichten Liste identisch.

1. Stadtbibliothek Avignon Cod. 314 [membr. ff. 94, 29,8×20 cm (2 col.) saec. 14].

1) Anonyme Fragen des Raymundus Bequini O. P. ff. 1r—41v.

1° Utrum essencia divina cognoscatur a viatore secundum propriam et distinctam racionem 1r—3r. Letzte: Utrum cognicio confusa precedat cognicionem determinatam. . . Expl. abstrahencium non sit mendacium 35r—36r. 2° 2^m Quodlibet <Raymundi> 36r—41v. Utrum intellectus creatus videndo divinam essenciam visione beata de necessitate videat omnia que possunt in divina essencia representari <Unvollständig>.

2) <Correctorium Petri Aureoli 42r—59v>. Frater Petrus in 1° Sentenciarum suo q. 1 dicit 3a: Prima <conclusio> est quod theologia vie non subalternetur theologie beatorum et patrie. 2a est quod articuli fidei non sunt principia theologie nostre in via, sed magis conclusiones circa theologiam et communem doctrinam, 3a est quod quando ea que sunt fidei probantur probabilibus racionibus et declarantur exemplis, quod acquiritur in nobis alius habitus a fide, quem vocat habitum declarativum 42r—43r. — Letzte Frage unvollständig. Questione 14, ubi querit utrum per racionem imaginis possit demonstrari trinitas personarum, inter alia dicit duas conclusiones. 1a conclusio est quod intellectus per actum suum intelligendi ponit rem de necessitate in quodam esse intencionali conspicuo et apparenti . . . Expl. 59v convivendum amato et sic.

3) Ein unvollständiges anonymes Quodlibet des Iacobus de Apamiis (Pamiers) O. E. S. A. 60r—92v. In nostra disputacione de quolibet quedam quesita fuerunt circa passiones transcendentes sive passiones entis, quedam circa encia specialia . . . 1° Utrum inter extrema realia, quorum utrumque est res, possit esse distinccio racionis 60r—62v . . . 4° Utrum essencia et relacio divina possint habere proprias indivisiones sine omni distinccione 66v—92v . . . Expl. 92v Specialiter sedis apostolice corrigenda.

2. Universitätsbibliothek Basel Cod. B VII. 28 [membr. ff. 75 (ff. 1—38, 1 col. 21 × 15 cm; ff. 39—75, 2 col. 22,5 × 16,7 cm) saec. 14 in. (1—38), saec. 12 (39—75)].

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[13] A. a. O. 332—336.

Der uns allein interessierende erste Teil (ff. 1r—38v) hat eine alte Zählung, die mit 43r beginnt. Es folgen 39r—73r der Traktat eines Isaac Spoletanus De accessu anime ad Deum (saec. 12) und 73r—75r liturgische Excerpte.

Um die späteren Zitationen zu erleichtern, gebe ich auch hier die Liste der Fragen Bequinis und Ordnungszahlen des Cod. B VII 28 Basel (B) und Cod. 529 Leipzig (L) und ebenso die Ordnungszahlen von Cod. 502 Reims (R).

Quaestiones Raymundi

1. Utrum essencia divina cognoscatur a viatore secundum propriam et distinctam racionem A 1r—3r, B_0 (d.h. fehlt in B), R_1. — 2. Utrum intellectus viatoris possit aliqua virtute pertingere ad claram et evidentem divine essencie cognicionem A 3r—5r, B_0, R_2 — 3. Utrum ad videndum clare divinam essenciam requiratur de necessitate lumen glorie A 5r—9r, B_2 11v—21r, R_4 — 4. Utrum possit intellectus beatus clare et evidenter cognoscere divinam essenciam non cognoscendo proprietates relativas vel personas vel utrum beatus possit cognoscere essenciam sine personis A 9r—14v, B_1 1r—11v, R_3 — 5. Utrum essencia divina distinguatur alico modo a proprietate relativa seu persona A 14r—20r, B_0, R_5 — 6. Utrum generari sit aliqua potencia productiva, que existat in patre A 20r—21v, B_0, R_0 — 7. Utrum ultimo fine per intellectum apprehenso voluntas creata necessario fruatur eo A 21v—26r, B_0, R_0 — 8. Utrum libertas voluntatis formaliter consistat in complacencia eius A 26r—29v, B_3 21r—27v, R_6 — 9. Utrum de ente in communi possit formari unus conceptus A 29r—32r, B_4 27v—32v, R_7 — 10. Utrum habitus scientificus habeat unitatem realem vel racionis tantum A 32r—35r, B_5 32v—37v, R_8 — 11. Utrum cognicio confusa precedat cognicionem determinatam A 35r—36r, B_0, R 9.

2^m Quodlibet

12. Utrum intellectus creatus <B beatus> videndo divinam essenciam visione beata de necessitate videat omnia, que possunt in divina essencia representari A 36r—41v, B_1 1r—11v, L 93r—94r (Bruchstück) . . . Expl. cognoscere Deum non erit inperfeccius, etiam si nullam cognoscat[14]

Alle 12 Fragen finden sich nur in A, Frage 6, 7 und 12 fehlen in R, Frage 1, 2, 5, 6, 7, 11 in B. Allerdings ist es möglich, daß ich bei Frage 4 (B_1) eine Quaestio übersehen habe.

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[14] In L schließt die letzte Frage f. 94r 'non est inperfectus etsi nulla cognoscat acinum. Explicit quolibet Remundi.

Was ist nun über die Echtheit der Fragen und des Correctorium zu sagen? Die Fragen sind durch Cod. 509 Reims und für Frage 12 auch durch Cod. 529 Leipzig als Eigentum Bequinis ausdrücklich bezeugt; ihr Inhalt verweist sie in die ersten Jahrzehnte des 14. Jahrhunderts und in die Nähe Aureolis. So kann an ihrer Echtheit nicht gezweifelt werden.

Wie ist es aber mit dem anonymen Correctorium Petri Aureoli? Ein Zitat weist hier den Weg. In der Antwort des zweiten Artikels (A f.43rb), 'ubi querit utrum possit aliquod lumen viatori a Deo virtute cuius <veritates> theologice cognoscantur, dicit 3a' sagt der Verfasser f. 43va: Contra duos primos articulos sufficit <quod> scripsi in questione 'Utrum intellectus viatoris possit virtute naturali alica pertingere ad claram et evidentem divine nature cognicionem' in prologo sentenciarum questione. Quantum vero ad 3^{m} scripsi: 'Utrum habitus sit sciencia intuitiva vel abstractiva'. Die Stellen lehren uns ein Doppeltes: 1. Der Verfasser des Correctorium nimmt hier offenbar Bezug auf Frage 2 Bequinis Utrum intellectus viatoris possit aliqua virtute pertingere ad claram et evidentem divine essencie cognicionem. Er nennt die Frage seine eigene 'scripsi', es ist also Raymundus selbst. Dabei ist es möglich, daß unsere Frage eine etwas spätere Bearbeitung der Quästio des Prologs ist.

2. Die Fragen gehören wohl in ihrer Gesamtheit nicht einem Quodlibet an, sondern sind eine Zusammenstellung verschiedener Fragen. Q. 4 stammt irgendwie aus dem Prolog zum Sentenzenkommentar. In den Fragen selbst weist nichts auf ein Quodlibet hin. Die übliche Einteilung des Fragenmaterials fehlt. So versteht man auch, daß die Quaestio: Utrum Christus et Apostoli habuerint aliqua temporalia in communi quantum ad proprietatem et dominium, die zu den übrigen Fragen nicht paßt, in R an die Spitze geraten ist. Nur Q. 12, die in A und L ausdrücklich als Quodlibetum bezeichnet wird, gehört sicher einem Quodlibet an.

3. Das Zitat 'scripsi Utrum habitus sit sciencia intuitiva vel abstractiva' zeigt, daß Bequini auch zu der seit Scotus brennenden Frage über intuitive und abstraktive Erkenntnis Stellung genommen hat. Die Quaestio ist bisher nicht aufgefunden.

Was besagen nun diese leider sehr unvollständigen Notizen über das Verhältnis des Raymundus zu Aureoli? Im Correctorium nimmt Bequini zuerst Stellung zur Frage der Editio Aureolis: 'Utrum ex studio theologie et solo naturali ingenio aliquis habitus acquiratur alius a fide'[15]. Aureoli behauptet drei Sätze f. 42r Dicit tria: Prima (!) est quod theologia vie non subalternatur theologie beatorum et patrie. 2a est quod articuli fidei non sunt principia theologie nostre in via, sed magis conclusiones; contra theologiam et communem doctrinam. 3^m^ est quod quando ea que sunt fidei probantur probabilibus racionibus et declarantur exemplis, quod acquiritur in nobis alius habitus a fide, quem vocat habitum declarativum nullo modo adhesivum vel assentivum; et iste habitus est proprie habitus theologie vie secundum ipsum.

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[15] Ed. Prol. q. 1; ed. Bonav. Prooemium q. 1 sect. 1.

In der ersten Behauptung stimmt Bequini gegen Thomas, den er zu interpretieren sucht, mit Aureoli überein: Primum articulum reputo verum, bene intellectum, quia cum theologia vie non sit sciencia proprie dicta et accepta de eo quod non habet evidenciam de principiis scilicet articulis fidei, impossibile est quod sit proprie sciencia subalterna, quia quod non est sciencia non est sciencia subalterna. Sed theologia nostra non est sciencia proprie dicta et accepta propter causam dictam. Ergo non est sciencia subalterna. Nec puto quod frater Thomas hoc sensit, prout ipse sibi imponit, sed accepit largo modo. Der zweite Artikel Aureolis wird bezeichnet als ‘contra theologiam et communem doctrinam’. Für den dritten Artikel verweist er auf die eigene Widerlegung ‘in scripto’. Es ist hier ein neuer Beweis dafür, daß Bequini wenigstens das erste Buch seiner Sentenzenerklärung veröffentlicht hat.

Im zweiten Punkt kritisiert Bequini die Frage Aureolis[16]: An noticia, que est possibilis haberi de Deo per scientificam inquisicionem, possit communicari viatori mediante aliqua nuda et clara noticia deitatis, abstractiva tamen et quasi ymaginativa. Es handelt sich um den viel diskutierten Begriff der cognitio abstractiva und intuitiva. Bequini kritisiert drei Punkte: Dicit tria: Primum est quod noticia intuitiva potest esse naturaliter et est de facto sine presentia obiecti et sine reali eius existencia quod probat 5 experimentis[17]. 2^m^ est quando ponit differenciam inter intuitivam cognicionem et abstractivam[18], ubi dicit quod cognicio realis recta et principalis ‹l. presentialis› eius super quod transit obiective et actualiter ac positiva existencia, et per oppositum abstractiva cognicio est que caret istis condicionibus. 3^m^ est de hoc quod dicit quod noticia abstractiva de divina essencia, unde et clare visa potest dari viatori, per quam noticiam abstractivam possent cognosci articuli fidei nostre seminaliter[19]. Für die beiden ersten Punkte verweist Bequini auf die bereits erwähnte Frage aus dem Prolog zur Sentenzenerklärung über die Möglichkeit, aus natürlichen Kräften eine klare und evidente Gotteserkenntnis zu erhalten. Für den dritten Punkt bezieht er sich auf seine bisher unbekannte Frage, ob der theologische Habitus eine intuitive oder abstractive Erkenntnis besage.

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[16] Ed. Prol. q. 2 a. 1—3; ed. Bon. Prooem. q. 2 a. 1—4 sect. 2 n. 5.
[17] Ed. Prol. q. 3 a. 1 — ed. Bon. Pr. q. 2 a. 3 sect. 2 n. 80—87.
[18] Ed. Prol. q. 3 a. 1 — ed. Bon. Pr. q. 2 a. 3 sect. 2 n. 111.
[19] Ed. Bon. Pr. q. 2 a. 4 sect. 2 n. 125—130.

Im dritten Artikel kritisiert er die dritte Frage aus dem Prolog Aureolis[20]: Utrum habitus theologicus sit practicus vel speculativus. Er führt 5 Punkte an, u. a.: Primum est quod logica est habitus practicus, 2⁰ quod habitus non differt practicus ab aliqua operacione nature nec <eum> adduci respectu habitualis scilicet prioritatis et conformitatis sicut Scotus, sed dicitur habitus practicus a propria activitate.

In der letzten 14. Frage: ‘Querit utrum per posicionem ymaginis possit demonstrari trinitas personarum’ kritisiert Raymund 3 Behauptungen Aureolis[21] f. 59r: Prima conclusio est quod intellectus per actum suum intelligendi ponit rem intellectam de necessitate in quodam esse intencionali conspicuo et apparenti et vocat esse intencionale, quia est esse deminutum, est tamen secundum eum ex natura rei et reale, quia est esse suppositale et personale. 2a conclusio est quod amans per amorem <non> ponit rem amatam in actu esse, sed se ipsum ponit in esse novo intencionali et lato quod est suppositum. 3⁰ dicit quod demonstrative potest probari quod Deus subsistit in tribus personis et suppositis, quorum unum est reale et duo habent esse intencionale, et format suam demonstracionem.

Aus diesen leider sehr unvollständigen Proben läßt sich vermuten, welchen Wert dies Correctorium für eine bessere Erkenntnis der Eigenlehren Aureolis und deren Aufnahme bei seinen Zeitgenossen besitzt. Einige Ergänzungen bieten die Quästionen Bequinis. In Frage 4, ob der Intellekt der Seligen die göttliche Wesenheit klar erkennen könne, ohne zugleich eine Erkenntnis der Personen zu haben, sagt er gegen Aureoli, der die Frage negativ löst[22], daß eine solche Erkenntnis möglich sei (B f. 3va): Et ideo est secunda opinio, quam minus male intelligo quod nulla virtute potest fieri quod divina essencia terminet actum cognicionis clare et beate, quin persone divine et proprietates relative simul terminent eandem cognicionem quantum ad omne quod competit unicuique scilicet tam essencie quam personis ex natura rei. — Dagegen (B f. 4v): Dico quod plures et distincti actus intelligendi possunt terminari ad unam et eandem realitatem et quiditatem simplicem, quorum unus sit confusus et alius determinatus et alius magis determinatus sicut cum concipio Sortem, hominem et animal. Et in omnibus istis intellectionibus respondet eadem res simplex et unica quiditas et formalitas, tamen sub distinctis conceptibus magis et minus determinatis. — B f. 10r: Et ideo quidam doctor ‹Aureoli› expediens se de ista difficultate dicit quod de essencia divina et persona non possunt distincti conceptus formari. — f. 10v: Ista opinio (Rand inprobacio Aureoli) videtur michi negare communem experienciam et esse suis ‹Augustini› dictis contraria.

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[20] Ed. Bon. Pr. sect. 3.
[21] Ed. Dist. 39. 14 — Vgl. Bon. Dist. 1 q. 6 n. 17—24.
[22] Ed. L. 1 Dist. 1 q. 6 — ed. Bon. l. 1 q. 6 sect. 6 a. 2 n. 46—75.

Auch in der Quaestio 3 über die Notwendigkeit des lumen gloriae zur seligen Gottesschau ist Bequini gegen Aureoli. B f. 19r Et ideo dicunt alii quod lumen glorie non requiritur ut causa vel concausa aliquo modo visionis, que est a solo Deo per creacionem, sed requiritur ut quedam disposicio subiecti absque aliqua causalitate[23]. (Rand 3 opinio Petri Aureoli). Er sagt dazu f. 21r Iste modus videtur michi dubius. Seine eigene Ansicht legt er B f. 12v dar: Sed ista oponio ‹requiri lumen gloriae› licet sollempnium doctorum, tamen, ut videtur, incidit in Cillam cupiens vitare Caripdim, quia vult tantum deferre gracie et glorie quod multum videtur derogare potencie. Et ideo ibi est alia opinio, que videtur michi verior et probabilior, que salvat graciam scilicet de facto et congruo, et tamen non destruit divinam omnipotenciam, quia cum hoc ponit quod de potencia Dei absoluta Deus potest communicare creature racionali visionem claram et beatam sue essencie sine aliquo medio. Eine andere Differenz zeigt sich in der Auffassung der Willensfreiheit. Fr. 8 Utrum libertas voluntatis formaliter consistat in complacencia eius. Bequini sagt (B f. 21ra) Primo quandam novam opinionem cum motivis suis. Dann: Est quedam opinio cuiusdam novi doctoris ‹sc. Aureoli[24]›, que ponit duo: Primum est quod formalis libertas consistit in actu complacencie et delectacionis. . . Actus enim complacencie est formaliter liber. Et ideo potencia, que agit quicquid agit ex placencia dicitur libera nec aliquid aliud requiritur ad racionem libertatis. Secundum quod ponit iste doctor quod sequitur ex posicione est quod appetitus sensitivus tam in homine quam in brutis est proprie et formaliter liber. Bequini antwortet (B f. 21v): Istam opinionem sicut singularem et contra dicta communia sanctorum et doctorum non intelligo, ideo arguo contra eam.

Auch in Frage 9, Utrum de ente in communi possit formari unus conceptus zeigt sich die von Aureoli abweichende Meinung (B f. 28r): 3a opinio est cuiusdam doctoris novi <sc. Aureoli[25]>, quam solam volo prosequi quoad presens, qui volens mediare inter duas extremas et contradictorias opiniones dicit quod conceptus entis, qui primo occurrit intellectui, audito vocabulo ens vel res, non habet aliquam unam racionem omnibus entibus communem, ymo est similiter denudatus ab omni racione in actu una vel pluribus, propria vel communi, sed conceptus entis est tantum unus unitatis confusionis et omnino <in> determinacionis. Er antwortet (B f. 29v): Nunc 2⁰ pertractando solum istam 3. opinionem causa brevitatis et racione novitatis opinionis videtur michi ista opinio expresse contradicere sibi ipsi dicendo quod conceptus entis habet unitatem omnimodo confusionis et indeterminacionis et non habet unitatem communitatis, quia constat quod idem sunt racio communitatis et universalitatis et racio confusionis et indeterminacionis et idem sunt omnino unitas communitatis et unitas confusionis.

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[23] Aureoli Quodl. q. 9 a. 3.

[24] Vgl. Ed. l. 2 d. 7 q. unica. Zu beachten ist, daß hier und öfter Aureoli als novus doctor bezeichnet wird. Man fühlte den Unterschied zur älteren Schule.

In Frage 10 Utrum habitus scientificus habeat unitatem realem vel racionis tantum dagegen scheinen Aureoli und Bequini, falls meine Aufzeichnungen nicht täuschen, die gleiche Ansicht zu vertreten. (B f. 32v): Primo videndum est utrum habitus scientificus sit unus vel plures, et si unus quam unitatem habet utrum unitatem simplicitatis vel alicuius aggregacionis; secundo unde habeat suam unitatem quilibet habitus scientificus; 3⁰ utrum unitas quam habet totus unus habitus specifice sumptus, puta tota geometria, que est in uno geometra, qui scit plures conclusiones, sit unitas realis vel solum racionis sicut est unitas speciei respectu suorum particularium[26]. Bequini antwortet (B f. 36r): Et ideo videtur michi dicendum, sicut supra dictum est, de sciencia parciali primo modo accepta scilicet quod sciencia habitualis totalis et completa nullo modo est una formaliter et intrinseca realitate sicut et quelibet illa res naturalis. Et hec unitas non est unitas simplicitatis sicut prima, nec unitas parcium sicut quantum vel superficies, sed est totalitatis et perfeccionis, quem modum unitatis Philosophus ponit V Metaphisice distinctum ab unitate simplicitatis et ab unitate continuitatis. Dies ist die von Aureoli vertretene Ansicht.

3.

Noch ein anderer verdient wegen seiner Beziehung zu Aureoli besondere Aufmerksamkeit. Es ist der Augustinereremit Iacobus de Appamiis (de Pamiers), wie Aureoli selbst und wie Bequini Südfranzose. Auch ihn hat C. Langlois[27] nach einer kurzen Notiz von B. Haureau über

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[25] Ed. l. 1 d. 2 art. 2—4.
[26] Ed. Prol. 2 art. 2—4. ed. Bon. Pr. q. 4 sect. 4 n. 82—89.
[27] Hist. Littér. de la France 36 (1927) 587—590.

Cod. 167 von Bordeaux wieder eingeführt und einige Daten angegeben. Da Jakob in seinem Quodlibet zweimal Thomas von Aquin als sanctus bezeichnet, ist das Quodlibet nach 1323 entstanden[28]. Da ferner der Franziskaner Geraldus Odonis zitiert wird, der 1326 in Paris die Sentenzen las, so muß unser Quodlibet etwas später liegen. Über 1330 dürfen wir kaum hinausgehen, da keiner der angeführten Autoren nach 1326 die betreffenden Fragen behandelt hat.

Wir besitzen von Jakob nur ein einziges Quodlibet, das zudem noch unvollständig ist[29]. Es hat aber großes Interesse, da Jakob in einer damals viel diskutierten Frage wohl fast alle verschiedenen Lösungsversuche ausführlich erörtert: Welchen Unterschied müssen wir in der hl. Dreifaltigkeit zwischen Natur und Personen annehmen und wie ist dieser Unterschied in scholastischen Termini auszudrücken, um einer anscheinend nahe liegenden Verletzung des Prinzips vom Widerspruch zu entgehen? Jakob widmet dem Problem die vierte Frage seines Quodlibets, die allein 20 Artikel aufweist. Aureoli spielt hier eine große Rolle. Es wird zum besseren Verständnis gut sein, die Liste der Fragen und auch die Artikel der Quaestio 4, die bisher nicht vollständig veröffentlicht wurden, ausführlich wiederzugeben.

An Hss mit dem Quodlibet sind bisher folgende bekannt:

1. Der im ersten Artikel beschriebene Cod. 314 der Stadtbibliothek Avignon (A)[30] hat ff. 60r—92v das Quodlibet mit dem dort angegebenen Incipit und Explicit.

2. Cod. 529 der Universitätsbibliothek Leipzig (L) ff. 94v—122r[31] Titel: Incipit Quodlibet fratris Iacobi de Appamiiis ordinis fratrum Heremitarum. Dann wie A. Aber am Schluß ff. 121v—122r ein Bruchstück der Frage 5 Utrum generare et spirare in patre distinguatur realiter ... Explicit. Quia non est minoris perfeccionis, dann späterer Nachtrag quam alia attributa, que dicunt perfeccionem simpliciter. Ergo.

3. Cod. 167 der Stadtbibliothek Bordeaux (B) [membr. ff. 223, 33,7 × 22,2 cm (2 col.) saec. 14.][32] enthält nach De predicamentis

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[28] Langlois a. a. O. 590. Cod. Avignon. 314 f. 78rb Ad quod respondet sanctus Thomas et frater Egidius, f. 78vb intellectus quem credo sanctum Thomam et fratrem Egidium doctorem nostrum habuisse.

[29] Langlois a. a. O. 589 gibt nur die Titel in 5 Hauptfragen; P. Glorieux, La Littérature Quodlibétique 2, Paris 1935, 142 f. bringt auch einen Teil der Artikel, aber ohne genaue Scheidung von den Hauptfragen.

[30] Zuerst erwähnt von Langlois a. a. O. 588.

[31] Erste Erwähnung bei Langlois a. a. O. 588, vollständig beschrieben von J. Koch, Durandus de S. Porciano O. P., Münster 1927, 333 f. (Baeumker Beiträge 26). Wie schon erwähnt wurde, enthält die Hs auch, ff. 93r—94r, ein Bruchstück vom Quodlibet des Raymundus Bequini.

[32] Eingeführt von Langlois a. a. O. 588.

divinis Iacobi de Viterbo ff. 1r—91v, auf ff. 92v—116v das Quodlibet Jakobs de Apamiis (f. 93r vom Rubricator I. de Appamiis). Auch hier steht das Bruchstück von Q. 5 f. 116r—v mit dem Explicit: 'non est minoris perfeccionis.' Es folgen alsdann die Quodlibeta des Jakob von Viterbo. 1. ff. 117r—146r, 2. ff. 146r—174r, 3. ff. 175r—205v, 4. ff. 205v—217r, endlich ff. 217r—218r die <tituli> primi quodlibet fratris Iacobi de Viterbio und ff. 218r—223r eine tabula alphabetica bis 'speculum'[33].

4. Cod. 2006 der Universitätsbibliothek Padova (P) [membr. ff. (221 + I) 31 × 22 cm (2 col.) saec. 14][34] enthält nach den Questiones Iacobi de Viterbo <De praedicamentis> ff. 1r—49v, seinem Quodlibet 1 ff. 49v—81r, Quodl. 2 ff. 81r—111v, Quodl. 3 ff. 111v—142r und einer tabula questionum fratris Iacobi de Viterbio f. 142r—v, das Quodlibet Iacobi de Apa <miis> ff. 144r—166v und endlich das Quodlibet fratris Io <hannis> Scoti ord. fratrum minorum ff. 167r—221v. Anfang und Ende des Quodlibet Iacobi de Apamiis sind dieselben wie in Leipzig und Bordeaux.

5. Cod. 625 der Biblioteca Angelica (An) [membr. ff. 225 33,5 × 24 cm (2 col.) saec. 14.][35] enthält ff. 158r—185v unter dem Namen des Gerhard von Siena das Quodlibet des Iacobus. Incipit und Explicit wie in A.

Im Folgenden gebe ich die Liste der Fragen und bei Frage 4 auch die Titel sämtlicher Unterfragen. Außerdem füge ich nicht nur die Zitationen des Aureoli bei, sondern auch der übrigen genannten Autoren. Wir erhalten so einen vorläufigen Einblick in die betreffs dieser heiß diskutierten Fragen damals bestehenden Richtungen. Die Foliozahlen der Hss sind nach den oben bezeichneten Abkürzungen beigefügt, soweit ich dies auch bei den Unterfragen angemerkt hatte.

Quodlibet Iacobi de Apamiis

1. Utrum inter extrema realia, quorum utrumque est res, possit esse dictinccio racionis A 60r—62v, L 94v—96v, B 92v—94r, An 158r—159v — L 95ra Quantum ad primum dicunt duo doctores quod inter

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[33] Die Titel der Fragen siehe bei Glorieux, La Littérature Quodl. 1, 215—217 (Quodl. I und 2): 2, 144—147 (Quodl. 3 und 4).

[34] Erwähnt von Glorieux a. a. O. 2, 142. Der dort ebenfalls angeführte Cod. 426 der Bibliotheca Antoniana enthält aber nicht das Quodlibet Jakobs von Pamiers, sondern des Jacobus de Aesculo.

[35] Eingeführt von Glorieux a. a. O. 2, 142, der auch auf ein interessantes, altes Mißverständnis aufmerksam macht. Da das Quodlibet des Gerhard von Siena vorausgeht, so schrieb eine Hand des 14./15. Jahrhunderts auch dies Quodlibet Gerhard zu. Der Herausgeber von Werken Gerhards, Vances, der sehr wahrscheinlich diese Hs benutzte, übertrug den Fehler in die Ausgabe Cesena 1630.

encia realia nullo modo potest esse distinccio racionis. Rand: Franciscus de Maronis et Petrus Aureoli. Jakob verteidigt das Gegenteil.

2. Secundo querebatur utrum aliqua possint habere aliquam non-ydemptitatem actualiter sine alique distinccione actuali A 62v—64v, L 96v—98r, B 94r—95v, An 160r—161v. — L 97rb Contra ista arguitur multipliciter. Primo arguit magister Franciscus de Marchia. An 160v raciones Aureoli. Ad idem Aureoli quadrupliciter sic.

3. Utrum aliqua possint ponere in numerum actualiter sine distinccione actuali A 64v—66v, L 98r—100r, B 95v—97v, An 161v—163v. — L 99ra: Raciones magistri Stephani et magistri Oberti monachi.

4. Circa ens increatum querebantur 3a: Primo utrum essencia et relacio divina possint habere ipsas indivisiones sine omni distinccione, 2⁰ (5) utrum generare et spirare in patre distinguantur realiter, 3⁰ (6) querebatur de signis originis utrum sint ex natura rei <an> per actum racionis A 66v—92v, L 94—121v, B 92v—116v, An 163v—185v. Zu 4. In ista questione hoc ordine incedendum est: 1⁰ Primo videndum est utrum essencia et relacio possint habere proprias indivisiones sine omni distinccione seu non-idemptitates ex parte substrati, 2⁰ utrum per tales non-ydemptitates, si ponantur, seu indivisiones sufficienter tollatur repugnancia predictorum oppositorum, que dicuntur esse de essencia et relacione A 66v—69r, (1 und 2), L 100—102r, B 97v—99v (1 und 2).— Quantum ad primum et 2ᵐ articulum dicit quidam doctor quod essencia et relacio habent proprias indivisiones seu unitates sine omni distinccione ex parte sustractorum et sine omni idemptitate et per istas indivisiones, ut dicunt, tollitur sufficienter repugnancia predictorum oppositorum, que dicuntur de essencia et relacione. Dazu L am Rand: Aureolus 1⁰ quolibet q. (q.) 3. —

3⁰. Videndum est utrum ad tollendum supra tactam repugnanciam requiratur distinctio realis et quarto utrum modalis simul A 69r—70v (3 und 4), L 102r—104r (3 und 4), B 99v—101r (3 und 4). A 69r Ergo prosequendo istos duos articulos dicendum est secundum intencionem aliquorum doctorum Rand Durandi et Iacobi de Viterbio, L Rand in Hand des 14/15 Jahrh. Dominus Durandus episcopus Aniciensis de ordine predicatorum et Iacobus de Viterbio doctor inventivus.

5⁰. Quinto videndum est utrum ad tollendum supra dictam repugnanciam requiratur distinccio formalis ponens aliam et aliam formalitatem inter essenciam et relacionem A 70v—71r, L 102r—103v, A 70v Rand Scotus et Franciscus, 70vb raciones Francisci de Maronis, f. 70ra Rand raciones Geroldi <Odonis>, L 104r Ad idem arguunt quidam alii, Rand Geroldus Odonis.

6⁰. Utrum requiratur distinccio formalis secundum quod li formaliter est determinacio composicionis et non extremorum A 66v, L 104r, B 101r, An 167vb: Quantum ad VI articulum dicunt quidam expositores formalitatum quod distinccio formalis dicitur formalis et ex natura rei secundum quod li formaliter est determinacio composicionis, non quia ponat duo extrema ex natura rei formaliter distincta sive aliam et aliam formalitatem habencia, sed quia secundum quodlibet est determinacio composicionis et non extremorum. Rand Thomas Anglicus <Wilton>.

7⁰. Utrum posita tali distinccione formali sufficienter tollatur talis repugnancia A 71r—78r, L 104r—108r, B 101r—105r. — L 104r Quantum ad 7ᵐ articulum dicunt concorditer quod per distinccionem formalem sive primo modo sive 2⁰ acceptam sufficienter tollitur repugnancia oppositorum predictorum, 104v Text Exposicio formalitatum data a magistro Francisco de Marchia primo suo, An 168ra Respondetur quantum ad istam partem a magistro Francisco de Marchia in primo suo et dicit quod formalitas et realitas penitus sunt idem. B Rand. Opinio propria, in qua sunt conclusiones contra formalitates.

8⁰. Utrum per inconvertibilitatem tollatur supradicta contradiccio A 78r.

9⁰. Utrum inconvertibilitas ponat aliquam diversitatem inter essenciam et relacionem A 78r (8 und 9), L 108r—110r (8 und 9), B 105r—106v. — A 78r Quantum ad octavum et nonum articulum respondent quidam doctores dicentes quod per inconvertibilitatem essencie et relacionis optime salvatur trinitas personarum et unitas. Rand: Herveus et multi, B 105r Rand: Oreolus contra Herveum et contra inconvertibilitatem.

10⁰. Decimo utrum supradicta repugnancia tollatur ex eo quod relacio diversimodo comparatur ad fundamentum et oppositum. A 78r—80r, L 110r—111v, B 106v—107v. A 78rb Ad quod respondet sanctus Thomas et fr. Egidius doctor noster quod sic, 78r Rand: Aureoli contra oponionem communem, 78v Text: Ad illud arguit magister Franciscus de Maronis, 78vb Text: Sed istis non obstantibus videtur michi quod prefata opinio <sc. Thomae et Aegidii> possit racionabiliter sustineri, si detur sibi intellectus, quem credo sanctum Thomam et fratrem Egidium doctorem nostrum habuisse. L 110r Contra. Aureolus in primo suo d. 30 articuli 2⁰, 110va Ad idem arguit magister Franciscus de Maronis, 110va Ad idem arguit magister Franciscus de Marchia, 110vb Rand: Defensio opinionis Thome et Egidii. B 106v Nota argumenta Aureoli contra Herveum, B 107va Solucio ad raciones Orioli.

11⁰. Undecimo utrum talis repugnancia arguat distinccionem racionis inter essenciam et relacionem.

12⁰. Duodecimo utrum arguat distinguibilitatem ex natura rei ante omnem actum intellectus.

13⁰. Terciodecimo utrum arguat non-idemptitatem indistinguibilitatis L 111 v—113 v (11—13), B 107 v—109 v (11—13), A 80 ra Text: Quantum ad X et XIII articulum, et XI et XII respondet Aureolus in primo suo (L 111 v Rand: d. 1 a et questione 1 a, articulo 2⁰), B 108 rb arguit magister Franciscus de Maronis.

14⁰. Quartodecimo utrum sufficienter tollatur talis repugnancia per distinccionem racionis A 82 r—87 r, L 113 v—117 v, B 110 r—112 r. A 84 va Ad idem arguunt quidam alii ostendendo quod distinccio racionis non sufficit ad tollendum contradiccionem extremorum realium. Rand: raciones magistri Stephani. Probat quod sola distinccio racionis non sufficit. L 113 v Utrum distinccio racionis sufficiat ad tollendem repugnanciam contradiccionis in divinis inter essenciam et relacionem et ad salvandam formam sillogisticam, 114 v Franciscus de Maronis, 115 va Ad idem arguunt quidam alii, Rand: Scotus, 115 vb Primo arguit magister Franciscus de Maronis, 116 ra Ad idem arguit frater Bernardus Olivieri, 117 rb 4⁰ instatur a magistro Francisco de Ma<ronis>.

15⁰. Quintodecimo utrum per distinguibilitatem distinguantur A 87 r—90 r, L 117 v—118 r Utrum distinguibilitatas conceptibilis sufficiat ad tollendum repugnanciam contradiccionis in divinis.

16⁰. Utrum tollatur per non-ydemptitatem indistinguibilitatis. A 87 r—90 r, L 117 v—118 r, B 112 r—113 r (15 und 16). — L 117 vb Contra istas raciones arguit magister Franciscus de Ma<rchia> in quadam questione, quam determinavit in curia, de qua ibi respondi sibi.

17⁰. Septimo decimo utrum distinccio racionis, que ponitur ad tollendum supradictam repugnanciam arguat composicionem in persona L 118 r—119 v (17 und 18), B 113 r—114 v (17 und 18). — L 118 r Ad quod respondet Aureolus in primo suo d. prima quod sic.

18⁰. Octavo decimo utrum talis composicio racionis repugnet summe simplicitati.

19⁰. Nono decimo utrum talis racio arguat veram dualitatem essencie et relacionis A 90 r—91 v, L 119 v—121 v, B 114 v—115 v. — A 90 ra Quantum ad primum respondet frater Michael de Massa nostri ordinis, 90 va videtur michi repugnancia continere <sc. sententia Michaelis>. L 119 v Quantum ad primum respondet frater Michael de Massa nostri ordinis quod sine aliqua repugnancia essencia et relacio vel quecunque alia, nisi aliud repugnet, possunt esse vere duo positiva et habere per consequens veram dualitatem sine omni distinccione et non-ydemptitate et negacione unius ab alio, servatis propriis positivis.

20⁰. Vicesimo utrum arguent minorem dualitatem essencie et relacionis quam persone et persone A 91 v—92 v, L 121 r—v Utrum dualitas essencie et relacionis sit verior dualitas quam persone et persone, B 115 v—116 r — L 121 r respondet magister Dyonisius de Burgo nostri ordinis.

Für wie wichtig Jacobus de Apamiis seine vierte Frage hielt, ersehen wir aus dem Schlußwort A 92 v: Istam questionem ceteris prolixius volui tractare, volens ostendere secundum facultatem a Deo michi traditam doctores theologos sufficienter vitare inconveniencia, que videntur militare contra articulum trinitatis utrum ‹etc.›, quia secundum beatum Augustinum alicubi periculosius non erratur quam in articulo trinitatis. Post ‹Primo› de trinitate. Protestor ista esse dicta probabiliter sine pertinaci assercione subiciens cuncta per me dicta et dicenda cuiuscunque melioris et specialiter sedis apostolice corrigenda.

4.

Fragen wir nun endlich: Was ergibt sich, wenigstens vorläufig, aus dem Quodlibet Aureolis und den Fragen seiner Kritiker für die Charateristik und Bedeutung Aureolis und für die verschiedenen wissenschaftlichen Strömungen und Tendenzen seiner Zeit?

Da ist zunächst die Stellung zu Aristoteles und Averroes. Beide sind für Aureoli Autoritäten ersten Ranges, die immer wieder zitiert werden. Aber im Gegensatz zum Konkordismus des 13. Jahrhunderts erscheint bei ihm wie bei anderen z. B. dem Oxforder Kanzler Heinrich von Harclay etwas Neues. Er will wissen, was Aristoteles wirklich gelehrt hat, nicht wie die Lehrer des 13. Jahrhunderts ihn christianisiert haben. So sind Frage 6 und 7 zum großen Teil der kritischen Untersuchung gewidmet, was Aristoteles und Averroes über intellectus agens und possibilis und die Zusammensetzung der Seele gelehrt. Wenn ich nicht irre, so ist diese Tendenz seit dem Averroistenstreit zu Ende des 13. Jahrhunderts eine Wurzel des Kritizismus im folgenden Jahrhundert.

Ferner ist an Stelle der auctoritas humana sehr oft die kritische ratio getreten. Daher steht bei Aureoli und seinen Gegnern auch örtlich an erster Stelle die kritische Darlegung abweichender Ansichten, ja sie nimmt nicht selten den größten Umfang der Quaestio ein. Man beachte nur all die Namen der Gegner, die fast bei jeder Quaestio genannt und kritisiert werden. Die Hauptwaffe ist die Dialektik. Es werden solche Probleme bevorzugt, in denen sie ein weites Kampffeld findet. Es sei erinnert an die Fragen 3 bis 7 des Quodlibet über die Widerspruchslosigkeit in der Trinität und an Frage 4 mit ihren 20 Unterfragen Jakobs von Pamiers. Dabei ist trotz aller Kühnheit der Problemstellung und der versuchten Lösung der Glaube eine feste Norm, an der zu rütteln auch kühnen Denkern, wie Aureoli und in etwa auch Jakob von Pamiers es sind, nicht in den Sinn kommt (Quodl. q. 7).

Welche Probleme stehen im Vordergrund? Neben der Erklärung der Möglichkeit des einen und dreipersönlichen Gottes wird die skotistische dictinctio formalis mit Eifer diskutiert. Hier scheiden sich schon die Richtungen. Der ungenannte Scotusschüler und Franz von Maironis sind ihre eifrigen Verfechter, während Aureoli (Quodl. q. 1) entschiedenster Gegner ist und der Dominikaner Bequini und der Augustiner de Apamiis sie ablehnen. Eine verwandte Frage ist das Universalienproblem. Auch hier lehnt Aureoli jegliche Allgemeinheit in den Dingen ab. Und das Konkrete 'confuso modo' erkannt, ist das Erste und Dominierende. Hier spricht die Erfahrung ein gewichtiges Wort. Er bricht mit einer fast allgemein herrschenden Lehre. Noch mehr gilt dies von der Modifizierung der durch Scotus eingeführten Termini: Conceptus intuitivus und abstractivus. Wir können einen conceptus intuitivus haben, ohne daß das erkannte Ding gegenwärtig ist (Quodl. q. 8). Ähnlich neu und revolutionierend ist die Leugnung jeder species impressa (Quodl.q. 8). Der Intellekt erzeugt in sich das 'esse apparens' oder 'obiectivum' (Quodl. q. 8) — dies ist real identisch mit dem Erkenntnisakt und zugleich Objekt; es kann verschieden sein von dem Ding an sich. Der entstehenden Schwierigkeit scheint sich Aureoli nicht bewußt geworden zu sein. Auch die Seele und ihre Fähigkeiten sind anscheinend identisch (Quodl. q. 6). Hier bricht der nie erloschene philosophische Augustinismus durch.

Bei der Unvollständigkeit des gebotenen Materials läßt sich leider nicht feststellen, wie weit seine Gegner eigene Richtungen einschlugen. Das eine oder andere kann hier aber gleichwohl gesagt werden. Nicht nur der unbekannte Franziskaner, der sich über die Bekämpfung des Scotus durch Aureoli beklagt, auch Thomas von Wilton scheint Scotus hie und da nahe zu stehen, so darin, daß die Einheit in den Dingen etwas Positives ist, in der distinctio formalitatum. Allerdings nimmt er mit Aegidius an, daß die Theologie weder eine spekulative nach eine praktische Wissenschaft ist, sondern eine affektive. Raymundus Bequini, ein entschiedener Gegner Aureolis steht in der Linie von Thomas, allerdings mit einiger Freiheit. So verwirft er mit Aureoli die These von der Theologie als subalterner Wissenschaft. Die Augustiner Jakobus von Pamiers und die Anonymen des Cod. Balliol 63 bekennen sich zu Aegidius 'doctor noster' und Thomas. Wie weit diese Abhängigkeit im einzelnen geht, muß erst untersucht werden. Die Franziskaner dagegen, Franciscus Maironus und Franciscus de Marchia sind Gegner Aureolis und stehen zu Scotus. Aureoli selbst kann man vielleicht am besten als einen bei aller Unabhängigkeit im einzelnen der Richtung des Durandus nahestehenden Theologen bezeichnen. All dies sind vorläufige Ergebnisse und Vermutungen, die erst weiterer Bestätigung oder Korrektur bedürfen. Eines aber läßt sich mit aller Sicherheit behaupten. In den ersten Jahrzehnten des 14. Jahrhunderts herrschte an der Pariser Universität ein überaus reges geistiges Leben. Die Probleme wurden mit Ernst in Angriff genommen und nach allen Seiten hin kritisch erörtert. Neue Gedanken tauchten auf und wurden nach ihrem Für und Wider untersucht. Das zeigen Aureoli und seine Gegner. Wie viele sich an einer solchen Erörterung beteiligten, sagt allein schon Frage 4 des Jakob von Pamiers. Eines aber stand bei allen fest: die unverrückbare Norm des katholischen Glaubens.

Es wird daher gut sein, bei der allgemeinen Charakterisierung des 14. Jahrhunderts als Periode der Dekadenz einige Vorsicht anzuwenden. Schattenseiten sind ohne Zweifel vorhanden. Aber wo ein so reges Leben und Streben herrscht, wie sich dies in den behandelten Männern und Fragen offenbart, da kann von einer allgemeinen Dekadenz kaum die Rede sein.

Bezeichnend ist auch, daß die großen Theologen des 16. Jahrhunderts, wie ein Soto und ein Suarez, manche Fragestellung des 14. Jahrhunderts wieder aufnahmen und zu lösen versuchten.

F. PELSTER, S. J.

Rom

THE PROBLEM OF 17TH CENTURY SOTERIOLOGY IN REFERENCE TO MILTON

Milton's *De Doctrina Christiana* can hardly be dismissed as a "minor Latin work"[1]. Even though the twentieth century fails to value it as Milton did — as his "best and richest possession[2]" — we must still recognize it as "another, and oftentimes clearer, statement of what Milton considered the basic argument of his poem (Paradise Lost)"[3]. The *De Doctrina Christiana* "reads like a doctrinal commentary on that work"[4] and as such, stands as an invaluable and indispensable aid to our comprehension of his two epics of paradise.

To present here even the main features of Milton's system of theology as found in the treatise, along with its influences and possible sources, and how these features are represented in the *Paradise Lost* and *Paradise Regained* is manifestly impossible for a study of this limited size. Consequently, I have limited the analysis to one specific doctrine, the doctrine of Soteriology, giving first the traditional orthodox concept, and the Renaissance heresies concerning the problem, and finally its literal interpretation as found in *Paradise Lost* and *Paradise Regained.*

There remains, then, to indicate the general outline of the chapters to follow. The material of Chapter I treats the Renaissance concept of Soteriology with references to Lutheranism, Calvinism (Perkins and Ames), Socinianism (Ochino and Servetus), Arminianism and Anglicanism. This chapter does not concern itself with parallel passages, verbal echoes, or the attempt to prove specific borrowings from particular theologians and commentaries on the part of Milton for his treatment of the problem of Soteriology. The purpose is not to establish what may strictly be called indebtedness, but rather to suggest that the doctrines of certain Renaissance theologians furnished the milieu for Milton's view of Soteriology. Chapter II treats of Milton's doctrine of Soteriology as found in chapters xiv, xv, and xvi of the *De Doctrina*

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[1] A. M. Witherspoon, "Milton Complete," *The Saturday Review of Literature*, VIII (1931), 33.

[2] John Milton, *Christian Doctrine*, trans. Charles Sumner (London, 1825).

[3] Maurice Kelley, *This Great Argument* (Princeton, 1941), p. 199.

[4] James Hanford, *A Milton Handbook* (New York, 1947), p. 122.

Christiana[5]. The concluding chapter presents the more important elements of Milton's Soteriology and their literal interpretation as paralleled in *Paradise Lost* and *Paradise Regained*. Concerning the parallels, I make no claim to exhaustiveness. I have set down those parallels which I feel are most pertinent, and a number proportionate to a thesis of this limited size. All references to the *De Doctrina Christiana* in this concluding chapter are from the Sumner translation for the purpose of indicating more clearly the close relationship existing between the treatise and the epics.

CHAPTER I

ERRONEOUS CONCEPTS OF SOTERIOLOGY IN THE RENAISSANCE

During the Reformation, the harmony of the mystery of Soteriology had become obscured. In many cases the penal element had received undue emphasis and importance. Catholic preachers made use of expressions which were Lutheran in origin, and justly deserving of the strictures which they have received from Catholic theologians. Bossuet speaks of a vengeful God who wages an open war against Christ. "Je vois au contraire un Dieu qui se venge et qui exige ce qui lui est dû de son propre Fils"[1], and again, "Dieu montre à son Fils ce visage, il lui montre cet oeil enflammé. . . Le visage de Dieu sur ceux qui font mal: c'est le visage de la justice"[2]. Bourdaloue imagines a sort of conflict between God's justice and mercy; one about to strike, the other holding back the sustaining sword. "C'est sous cette lèpre du péché que la justice de Dieu l'envisage comme un objet digne de toutes ses vengences. Voilà pourquoi elle s'arme contre lui, pourquoi elle le poursuit le glaive à la main. . ."[3]

Luther briefly designates as the office and work of Jesus Christ "Our Redemption" (Erlösung). This is the deliverance from sin, death, hell and all misery — from the entire state into which we have been brought by the sin of Adam[4]. Justification is conferred upon man by God's grace.

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[5] All references to these three chapters are from a microfilm of the *De Doctrina* (Cambridge: Typis Academicis, 1825). Other references, outside of these three chapters, are from the Sumner translation of the treatise. — This article is part of a dissertation submitted to the Faculty of the Graduate School of Arts and Sciences of the Catholic University of America in partial fulfillment of the requirements for the degree of Master of Arts.

[1] J. Bossuet, *Oeuvres Oratoires, Edition Critique Complète* par J. Lebarq (Paris, 1927), p. 416.

[2] *Ibid.*, p. 382.

[3] L. Bourdaloue, *Oeuvres Complètes* (Paris, 1833), IX, 165.

[4] J. Köstlin, *The Theology of Luther*, trans. Charles E. Hay (Philadelphia, 1883), II, 388.

Man can do nothing at all to cooperate; he can merely submit in trustful faith to the hand of God. This trusting faith in God's infinite mercy is the thing that alone justifies man. God has given him the law, but he, because of the sinfulness that dominates his entire being, is altogether incapable of fulfilling God's law. God, aware of this complete ineptitude of man, gives him the law in order to lead him to a certainty of his human helplessness and to make him despair completely of his own human power. As a result of his futile struggling with the law, he is impelled to submit in childlike trusting confidence entirely to the favor and disfavor of God. Möhler explains:

> Die Lutherische Betrachtungsweise hingegen ist diese: Wenn der Sünder durch die Predigt des Gesetzes, dessen Nichterfüllung sich ein Jeder bewußt ist, eingeschüchtert und der Verzweiflung nahe gebracht ist, wird ihm das Evangelium Lamm Gottes sein, das die Sünden der Welt trägt. Mit einem von Schrecken und Furcht erfüllten Herzen ergreift er die Verdienste des Erlösers durch den Glauben, der allein gerecht macht. Gott erklärt den Gläubigen um der Verdienste Christi willen für gerecht, ohne daß er es in der Tat ist; obschon freigesprochen von der Schuld und Strafe, wird er doch von der Sünde (Erbsünde) nicht befreit; die angeborne Sündhaftigkeit bleibt vielmehr auch im Gerechten, obwohl nicht allein; vielmehr schließt sich an die Rechtfertigung die Heiligung an, und der Glaube offenbart sich in guten Werken, die seine Früchte sind[5].

This love is made manifest to man in Jesus Christ who, according to Luther, is the mirror of the Father, in which we view the Father's infinite love, goodness, and mercy[6]. For the sake of the justice of Christ, God does not impute man's sins to him. He covers up the sinfulness of man with the justice of Christ, so that He no longer sees the sins of man and man's wholly sinful nature, and receives him in spite of all his sinfulness and unworthiness[7]. Thereby when the sinner in believing confidence in God's infinite mercy casts all his sinfulness upon Christ, God grants to him the justice of His Son. This act constitutes justification but not sanctification[8]. In reality, sin remains in man. God in His love, however, covers it up with the justice of Christ. Thus man is at the same time a sinner and still justified. From this condition of being justified, holiness develops.

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[5] J. A. Möhler, *Symbolik* (Regensbuıg, 1921), p. 102.

[6] Köstlin, *op. cit.*, p. 391.

[7] Köstlin, *op. cit.*, p. 436.

[8] Möhler, *op. cit.*, p. 102. Concerning the close connection between justification and sanctification, he tells us: "Die Rechtfertigung vor Gott und die Heiligung dürfen jedoch, ungeachtet ihrer engen Verbindung, durchaus nicht als Eins und Dasselbe betrachtet werden, weil Dies die Gewißheit der Sündenvergebung und Seligkeit, eine Gewißheit, die eine wesentliche Eigenschaft des christlichen Glaubens ist, unmöglich machte. Das ganze Werk der Wiedergeburt ist endlich Gottes That allein, und der Mensch verhält sich schlechthin leidend dabei. Gottes That geht nicht nur dem Thun des Menschen voran als müßte oder könnte dieser nachkommen, als wirkte dieser mit jenem und sonach Beide zusammen; der heilige Geist ist vielmehr ausschließend thätig, auf daß

According to Luther's view, Christ has fulfilled the law and atoned for every weakness and sin. Through His righteousness, the believing and trustful sinner is covered, apart from his own works and his own righteousness[9]. The good works of man are, in the last analysis, the fruit exclusively and solely of the operation of God in man. For that reason they cannot merit heaven for man. His nature is so corrupted that his will is not free and is incapable of any sort of good, so that since Adam's sin all human nature has brought forth no work that is not in itself sinful and deserving of condemnation[10]. God alone, who becomes active in the soul through faith, effects the good works and holiness. In this sense, Luther maintains that the individual who is joined to God through faith rejoices in these good works, but these good works are the fruits of the spiritual birth and cannot justify[11]. From that time on, Luther viewed the whole Bible only through the glasses of his teaching about justification. Hence the Bible became for him exclusively a book of consolation written by God for mankind, so that mankind might recognize His love and cast itself in trustful faith into the mercy of the Father. The word of God in the Bible, therefore, is for Luther the actual means of salvation and grace.

Calvin, on the other hand, was dissatisfied with the reformer of Wittenberg for having ascribed to the law alone the property of exciting a sense of sin, and a consciousness of guilt. He thought, on the contrary, that the first place is due to the Gospel, and repentence, instead of preceding faith, comes after it. More important still is the departure of Calvin from Luther's doctrine by his assertion that it is only in those elected from all eternity that the Deity works justification and regeneration[12]. On the other hand, Luther rejects the doctrine of absolute

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Gott allein der Ruhm zukomme, und jede Anmaßung menschlichen Verdienstes unmöglich werde."

[9] H. Grisar, *Martin Luther. His Life and Works* (St. Louis, 1930), p. 73.

[10] K. Algirmissen, *Christian Denominations*, trans. J. Grundner (St. Louis, 1946), pp. 745—6.

[11] Möhler, *op. cit.*, p. 203.

[12] *Ibid.*, p. 104. Since Christ alone is our righteousness, Luther concluded that the just man is never just in himself; that concupiscence, though resisted makes him sin damnably in all he does, and that he remains a sinner until his last breath. It is through the merits of Christ that he is saved. J. M V. Audin explains that "Calvin overlooks that fallen man kept in some degree his moral and religious faculties, though much impaired and did not lose his free will. His doctrine affirms total incompetence; he could never freely consent or resist when grace was given, if he happened to be predestinate. The sinner commits

predestination. Finally, Calvin lays still more violent stress on the faith which the believer must have of his future happiness. Faith which means assurance of election, grace, and glory and this is the heritage of none but the predestinate. Calvin teaches that grace first determines, and consequently, goes before all truly pious endeavors of man. On this account, he upholds the doctrine of the active cooperation of man with God. By this active cooperation, however, he does not mean to affirm that is it the power of man to receive or reject the action of God. When divine grace knocks, the door must be opened; and those who do not enter into life are never touched by it.

Calvin lays down the following notion of predestination.

> Praedestinationem vocamus aeternum Dei decretum, quo apud se constitutum habuit, quid de unoquoque homine fieri vellet. Non enim pari conditione creantur omnes: sed aliis vita aeterna, aliis damnatio aeterna praeordinatur. Itaque prout in alterutrum finem quisque conditus est, ita vel ad vitam, vel ad mortem praedestinatum dicimus[13].

In respect to the elect, this decree is placed without any human regard to human worthiness; but those whom He delivers up to damnation, are, by a just and irreprehensible judgment, excluded from all access to eternal life. "Quos vero damnationi addicit his justo quidem et irreprehensibili, sed incomprehensibili judicio vitae aditum praecludit"[14].

In such a scheme, it seems that there was no necessity for any Christ. The will of God acting in such a sovereign fashion is in itself sufficient to effect what He proposed for His glory. God has need to justify Himself to no one. Rev. Mitchell Hunter attempts to explain the position of Christ and the atonement thus:

> The divine decrees must be regarded as assuming the work of Christ and as being vindicated thereby. Whether redemption could have been effected without it or some equivalent, Calvin would have refused to consider, in consistency with his whole attitude to ultimate mysteries. Certainly as God could suspend even moral law according to His pleasure, He was not bound by some high necessity to justify the dictates of His will. Whatever He commanded or determined was right by virtue of His mere command or decree. It was enough for Calvin that God chose the "way of salvation" through Christ. It might not be intrinsically necessary, but that there was in it some inherent reasonableness might be taken for granted[15].

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actions which the Saint may also indulge in; but one is saved, the other is lost". *History of the Life, Works, and Doctrines of John Calvin*, trans. John McDill (Louisville, 1860), p. 210 *et seq.*

[13] Johannis Calvini *Institutiones Christianae Religionis.*

[14] *Ibid.*, n. 7, 329.

[15] M. Hunter, *The Teaching of Calvin* (Glasgow, 1920), p. 106.

So for good reasons known to Himself, God took the way described in Scripture. If it cannot be said that a price had to be paid, it may be said that a price was paid. The atonement of Christ, therefore, had a part in the divine plan of salvation. The divine election neither preceded it as a primary resolve on the part of God, the way of the Cross being subsequently decided upon, nor followed it as an afterthought, but formed in the mind of God, along with the foreordained work of Christ, which it at once necessitated and rested upon, the sum of the will of God regarding the salvation of man[16].

Calvin has in common with Luther the essential foundations of protestant faith and thought, such as the doctrine of justification and belief in the Bible as the only and all sufficient norm of faith, the contesting of freedom of the will in the moral domain and the value of good works as meritorious for salvation. Yet, the notable difference between the two lies in Luther's doctrine that the sins of man (at which God refuses to look) are covered as with a cloak by the merits of Christ, whereby in Calvin's doctrine that the strict decree on the part of God predetermined man to salvation or damnation.

Two of the more prominent Calvinistic Divines whose writings and thought received a great deal of study in the seventeenth century were William Perkins and William Ames[17]. Like Calvin, Perkins felt a divine election was formed in the mind of God along with the works of Christ, the Mediator and Redeemer. Christ was the Mediator endowed with the divine nature but not as it is the Godhead[18]. The Redemption takes its effect only in the light of this absolute decree[19]. He "refers all to an absolute decree, hamstrings all industry and cuts off the sinews of men's endeavors toward salvation. For ascribing all to the wind of God's spirit (Which bloweth where it listeth) he leaves nothing to the oars of man's diligence, either to help or hinder to the attaining of happiness, but opens a wide door to licentious security"[20]. William Ames, pupil of Perkins and Calvin's 'ablest of Divines', became professor at Franeker in the Netherlands and was the author of a well known digest *Medulla Theologiae*, which was translated into English in 1642 as *The Marrow*

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[16] *Ibid.*, p. 107.

[17] *DNB*, XLV, 7.

[18] W. Perkins, *Workes* (London, 1612), I, 24—5.

[19] Perkins, *Opera Theologica* (Geneva, 1611), Cap. XV, 16. Perkins defines this absolute decree as "Predestinatio vel decretum electionis est, quo Deus ex benevolo affectu voluntatis suae, certos homines ad salutem destinuit ad laudem gloriosae gratiae."

[20] T. Fuller, *The Holy and the Profane State*, ed. M. Walten (New York, 1938), II, 90.

of Sacred Destiny[21]. Like his teacher, he views the work of Redemption and atonement only in the light of the absolute decree[22].

One of the prominent anti-trinitarian sects to which the Reformation gave birth is Socinianism. Any examination of the Socinian system of doctrine will reveal at once a Pelagian element[23]. They maintain there can be no proportion between the finite and the infinite, hence there can be no incarnation of the Deity. Christ was the Logos, but with no preexistence; He was the word of God as being His interpreter. He was miraculously begotten, and a perfect man. He was the appointed Mediator; but He was no God only deified man. In this sense, He was to be adored[24].

The views of Socinus regarding the person of Christ necessarily affected his teaching on the office of Christ as Redeemer. Being purely man, Christ did not work out our Redemption in the sense of satisfying for our sins[25], consequently, we cannot regard the sacraments as instruments whereby the fruits of that redemption are applied to man. The passion of Christ was merely an example to us and a pledge of our forgiveness. Christ still exerts a perpetual influence over our destiny. He protects us by His fullness of power and turns away from us the wrath of God but most of all, He set before us the blessed example of virtue[26].

Justification they conceive to be a judicial act of God, whereby He graciously absolves from sin and its guilt, all man, who with faith in Christ fulfill the moral precepts[27]. In another respect, what the Socinians advance touching justifying faith, that it possesses in itself, as an essential form, a power efficacious in works, is very good and borrowed from the Catholic schools. But to attribute to the office of Christ a mere finite, credible and trustworthy guide is heretical.

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[21] F. F. Hutchinson, *Milton and the English Mind* (London, 1946), pp. 153—4.

[22] Professor Sewell in showing the influence of Ames' *Medulla* on Milton gives a summary of the doctrine of William Ames. He maintains that they use much the same arguments in the protests against prelacy and the account of Milton's temptation seems to have been modelled after Ames'. Sewell tells us there are similarities in the account of creation, the theory that Adam fell entirely of his own free will, the ideas of faith, and mostly the view of the process by which man can finally become one with God. He tells us: "It is not, I think, too fanciful to think of Milton in those early years, as he dictated passages from Ames and Wollebius to his two nephews, enlarging and making more liberal his own Calvinist outlook by giving special emphasis to certain passages in the works of these two divines. God as light forever unapproached; Adam's prime responsibility in his act of disobedience to God; faith as an attribute to the whole man; the logical view that the world is not created out of nothing but out of inert dust; the procedure of all things from God up to whom they must return — these ideas were specially congenial to him, and they appear with quickened emphasis and altered significance in his later thought." *A Study in Milton's Christian Doctrine* (London, 1939), pp. 44—45.

[23] A. Harnack, *History of Dogma*, trans. Neil Buchanan (Boston, 1900), VIII, 120.

[24] J. McLachlan, *Socinianism of the Seventeenth Century* (London, 1951), pp. 13—14.

[25] T. Lindsay, *A History of the Reformation*, (Edinburgh, 1907, p. 480.

[26] Lindsay, *op. cit.*, p. 480.

[27] McLachlan, *op. cit.*, p. 15.

Without the influence of Ochino and his school, the Soteriology of Socinianism could never have prevailed[28]. Bernardino Ochino, an anti-trinitarian, is a product of the Italian Reformation. He held that God the Father could not delegate His whole essence unless He became the Son Himself. The Son possesses a real existence, which He got from the Father[29]. He is a creature partaking of the Father's essence, only as much as the Father wished to give Him[30]. He denied that works could contribute toward salvation for this rested entirely on the mercy of God in Christ. He made the universality of the Redemption to depend upon the universal working of the Holy Spirit in the heart of man. The faith it evokes is the form in which salvation for the individual seems to him made possible. It appeared to him self-evident that such a faith could not exist without charity, and the fruits of good works or without a truly Christian life[31].

Michael Servetus, probably the most outstanding anti-trinitarian influence of the sixteenth and seventeenth centuries, can be well classified under the school of Socinus because of his doctrine on Christ and his over-emphasis on the humanity of Christ[32]. He was a pantheist, rationalist and strict liberalist in Scripture. For Servetus, before the Incarnation there was no Son, but only a Word; after that — the Word ceased to exist as such — we have the Son of God. In this man Jesus, there is no duality of nature; there is no joining of the human with the divine, but a complete going over of God's power into humanity. Christ is a simple nature or person. He is man purely and can be called God because He is a messenger and representative of God[33].

Servetus had no conviction concerning the corruption of human nature and therefore felt no subjective need for the Lutheran's externalized process of salvation[34]. To him, faith could not exist without good works. The heart of man was far from corrupt and evil by nature, and he held that the cause of good works and well-doing is proper and spontaneous to the individual who is only answerable for his own sin, not for the sins of another[35]. Therefore, for Servetus, there was no need for Christ and the work of Redemption. Human nature was not corrupt so the mission of Christ as restorer and redeemer was unnecessary.

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[28] A. Gordon, "The Sozzini and Their School", *Theological Review*, XVI (1879), 546.

[29] K. Benrath, *Bernardino Ochino of Siena*, trans. H. Zimmern (New York, 1877), p. 63.

[30] *Ibid.*, p. 66.

[31] *Ibid.*, p. 65. Louis Aubrey Wood makes a study of the doctrines of person and nature in Christ and the Trinity and maintains that Ochino was the greatest influence on Milton. *Form and Origin of Milton's Anti-Trinitarian Conception* (London, 1911).

[32] Harnack, *op. cit.*, p. 133.

[33] Martin Larson, "Milton and Servetus", *PMLA*. XLI (1926), 906. Larson makes a comparative study between the ideology of Servetus and Milton on the Incarnation, Redemption and the Trinity.

Arminianism is a doctrine formed in the early days of the seventeenth century as a revolt against Calvin's *decretum horribile* of predestination and salvation and damnation meted out without regard to merit or demerit[36]. On the contrary, they believed that God wished to make all believers in Christ, who persisted in their belief to the end blessed in Christ, and for His sake would only condemn the unconverted and unbelieving. In opposition to the doctrine of election, they held that Christ died for all men and that believers were chosen only in so far as they enjoyed the forgiveness of sins. They urged the possibility of salvation for others not elect. Concerning the doctrine that grace effects only the elect, they maintained that without grace man cannot resist sin, although he cannot be counted as irresistible to grace[37].

Arminianism embraced the doctrine of free will and salvation comes from faith without good works[38]. He who believes in the way acceptable to God is, in their opinion, one who is converted to the precepts of the gospel, is filled with contrition for the sins he has committed and is inwardly renewed. The saving faith required by the gospel is nothing more than obedience, and this obedience is the fruitful parent of all good works, and the source and the root of all Christian piety and sanctification. Hence, the true saving or salutary faith is that which works by charity.

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[34] Hunter, *op. cit.*, p. 237.

[35] Larson, *op. cit.*,

[36] John Tulloch, *Rational Theology and Christian Philosophy of XVII Century* (Edinburgh, 1874), I, 16—17. He tells us: "The distinctive principles of Arminianism all take their start from the fundamental modification of the cardinal doctrine of predestination initiated by Arminius and in connection with which the whole movement arose. The divine decree to which human salvation is to be attributed was, according to Calvin's conception, absolute and irresistible. Arminius passed beyond this modification, which merely conditioned the divine by one inscrutable human act, and extended the conditioning process more or less to all human acts. In other words, he passed out of the pure sphere of the divine to which Calvin and his followers tended to confine their view, and brought prominently forward the free activity of the human will, as a co-determinant in the work of salvation."

[37] "Arminianism", *Catholic Encyclopedia*, I, 741, special edition, Knights of Columbus Truth Committee.

[38] "Arminius", *Dictionnaire de Théologie Catholique*, I, 1970. The Arminians hold the following five acts whereby the sinner is justified in the mission of Christ. "La justification comprend cinq actes: l'élection qui met au nombre des vrais croyants et des sauvés, l'adoption, qui place dans la famille de Dieu et donne droit à la beatitude céleste, la justification proprement dite, qui efface tous les péchés par la foi, la sanctification, qui discerne intérieurement les fils de Dieu des enfants du monde, et la confirmation par le Saint Esprit qui fortifie la confiance et augmente l'assurance de la grâce divine et de la béatitude céleste. Cette doctrine s'accorde en partie avec celle des catholiques sur la prédestination et la nécessité de la grâce, mais elle se rapproche du pélagianisme au sujet de l'efficacité de la grâce. Quelques arminiens se laissèrent influencer par les idées sociniennes et admirent le subordinatianisme

Arminianism appeals principally to the circumstance of their declaring justification to be a judicial act, whereby God releases the sinner from the merited punishment, whereas Catholics regard it as an inward newness, wrought by God. Arminianism opposes the Lutheran and Calvin system in that they assert a true and inward deliverance from sin through regeneration and do not recognize any of Christ's righteousness through faith only, in opposition to Christian works and Christian charity. They regarded good works as only the fruits of faith.

There can be no doubt that the English Reformation is substantially a part of the great Protestant Reformation upheaval in the sixteenth century, and that it's doctrines, liturgy, and chief promoters were to a very considerable extent derived from, and influenced by, Lutheran and Calvinistic movements on the continent. The great principles and tenets set forth in the works of Luther and Calvin are reproduced, without or with modifications, but substantially and almost verbatim in the literature of the English Reformation[39].

For the Anglicans, Christ opened and declared for us the only true way for the obtaining of eternal salvation. This was wrought by virtue of his death[40]. The sin of Adam was a great sin, by reason of a breach.

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dans le dogme de la Trinité. Les remontrants ne reconnaissaient pas les sacrements au sens strict du mot; ils recevaient toutefois le baptême et la cène, mais comme de simples signes qui ne donnent pas la grâce aux âmes."

[39] "Anglicanism", *Catholic Encyclopedia, op. cit.*, p. 502. "The chief doctrines which are essentially and specifically characteristic of the Protestant Reformation are: rejection of Papacy; denial of Church infallibility; justification by faith alone; supremacy and sufficiency of scripture as the Rule of Faith; the triple tenet a) Eucharist is communion or sacrament, not a Mass or sacrifice b) denial of Transubstantialism c) denial of the sacrificial office of the priesthood and propitiatory character of the Mass; the nonnecessity of auricular confession; rejection of the Blessed Virgin and Saints; rejection of Purgatory and prayers for the dead; rejection of indulgences. Add to these the disciplinary characteristics; the giving of communion in both kinds, the substitution of tables for altars; and the abolition of monastic vows and the celibacy of the clergy. These twelve doctrines and practices of the continental Reformation have undoubtedly, though not always in the same measure, entered into the fibre of the English Reformation, and have found expression, more or less emphatic, in the Anglican formularies."

[40] P. E. More and Frank Leslie Cross, "John Pearson," *Anglicanism*, (Milwaukee, 1935), p. 283.

A particular thing which must have a particular remedy. Christ, therefore, because Adam did not fulfill the law undertook to fulfill the same to relieve us, and that God's justice should not be in vain[41]. It furthered our salvation, by purchasing the remission of our sins and justification of our persons, our freedom from condemnation and punishment, our appearance as upright and acceptable in God's sight, upon the conditions of faith and repentence propounded in the Gospel[42]. Consequently, justification comes from faith alone, but a faith not to be understood as separated from the works of repentence. The works of repentence are positively insisted upon by the Holy Spirit as no less necessary to obtain justification[43]. To each person sincerely embracing the Gospel, God sends the Holy Spirit as a principle productive of all inward sanctity and virtuous dispositions, enabling also and quickening him to discharge the conditions of faith and obedience required from him and which infuses into his soul grace[44]. Henry Hammond rejects the doctrine of Christ's dying for the elect only. He teaches:

> The doctrine of universal, but conditional, redemption, i. e. of Christ's dying for all, if all will take care to perform the condition required of him. For then, how great soever the sins of any unreformed person are, it is evident that Christ died for all; that He died for those sins of his, because He died for all sins; only he must reform, and forsake his sins, or else he shall never receive the benefit of His death[45].

Consequently, a *fides subjectiva* is sufficient for salvation. A trust or confidence that God's mercy will take away sin through the merits of Christ, as opposed to the orthodox Catholic teaching that a *fides objectiva* is required for salvation. Faith alone justifies with acts of repentence, springing from this faith.

In conclusion, then a few brief observations can be made. The Socinians and Arminians agree with Luther and Calvin in holding justification a mere judicial act of God. To justify, according to them, signifies only to acquit — to declare men just. For the Lutheran, it springs from complete trusting confidence to the favor or disfavor of God; for the Calvinist it springs from the strict decree on the part of God predetermining man to salvation or damnation; and for the Socinian, in that Christ is an example or lawgiver whose legislation is a means to a higher end. The Arminians declare justification to be a judicial act of God, whereby God releases the sinner from the merited punishments. In opposition to the Lutherans, Calvinists and Socinians, they assert a true and inward deliverance from sin through regeneration, and do not recognize any imputation of Christ's righteousness through faith only, in opposition to Christian works and Christian charity. The Anglicans, on the other hand, hold good works and acts of repentence as merely the fruits of faith.

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[41] *Ibid.*, "James Ussher," p. 288. He tells us: "In the law must be considered two things — 1. strict obedience, sound payment; 2. penalty due to the breach of law. First, there must be full account, as at the beginning was due. By reason of our insufficiency, Christ giveth us a bill under His hand unto the Father, there all our debts are satisfied, all are reckoned up upon His score, and therefore now being in Him we need not fear. . . Secondly, He also doth this, the penalty due to the breach of law: the Godhead and the manhood performeth this work, the Deity assisting the humanity, therein not to be overcome".

[42] More and Cross, "Isaac Barrow", *op. cit.*, p. 291.

[43] More and Cross, "George Bull", *op. cit.*, p. 298.

[44] More and Cross, "Isaac Barrow", *op. cit.*, p. 301.

[45] More and Cross, "Henry Hammond", *op. cit.*, p. 311.

This is the world of Protestant ideology that in the composing of *Paradise Lost* and *Paradise Regained* must have concerned Milton. While the over-all plan of the Redemption of mankind would thrust itself forward and away from the Scotistic and Thomistic catholic teachings, the realization of the Redemption both with regard to God and to man is radically centered in the Reformation theologians mentioned, namely, Luther, Calvin, the Socinians, the Arminians and the Anglicans. This conglomerate group supply the overtones, the shadowings and the highlights of the redemptive intimacies Protestant theology speculates for mankind. Naturally, the degree of adherence to these thinkers of the Renaissance on the part of Milton enjoys the wide range from independent alignment to actual identification with a given group. From the latter, we lay claim to the Arminians as having probably predominantly influenced Milton through the writings of his great epics. This is so manifest in the transition from *Paradise Lost* to *Paradise Regained* wherein the good works of Christ are so exalted in the scenes of the temptations. In any event, it is ever so important to know the theological currents of the time which not only constitute the milieu for Milton's views but also were instrumental in the construction of his doctrine on Christ and Soteriology because the whole composite structure of the Redeemer Christ must necessarily share the theological cast of his specific beliefs.

(To be continued)

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THE "VITAL AND HISTORICAL REASON" OF JOSÉ ORTEGA Y GASSET

Introductory Note

José Ortega y Gasset was born in Madrid in 1883. He received his licentiate in Philosophy and Letters in 1902, and his doctorate in 1904, at the University of Madrid. In 1905 he went to Germany where he studied at the Universities of Leipzig, Berlin and Marburg. At the latter university he was a pupil of the neo-Kantian, Hermann Cohen. Between 1910 and 1936 he was a professor of metaphysics at the University of Madrid. Since then he has lived in France, Holland, Argentina, Portugal and Spain.

The literary production of Ortega is extensive. The most important of his writings are *Meditaciones del Quijote* (1914); *El Espectador* (in 8 volumes, 1916—1934); *España Invertebrada* (1921); *El Tema de Nuestro Tiempo* (1923); *Las Atlántidas* (1924); *La Deshumanización del Arte e Ideas sobre la Novela* (1925); *Kant* (1924—29); *La Rebelión de las Masas* (1930); *Misión de la Universidad* (1930); *Guillermo Dilthey y la Idea de la Vida* (1933); *En torno a Galileo* (1933); *Ensimismamiento y Alteración* (1939); *Meditación de la Técnica* (1939); *Ideas y Creencias* (1940); *Apuntes sobre el Pensamiento: Su Teurgia y su Demiurgia* (1941); *Del Imperio Romano* (1941); "Prólogos" to *Historia de la Filosofía*, by Emile Bréhier (Spanish translation by Demetrio Nañez, 1941), *to Veinte Años de Caza Mayor*, by Conde de Yebes (1942), and to *Aventuras del Capitán Alonso de Contreras* (1943); countless articles, addresses, etc. There exist today two editions of his complete works. The first was published in 1947, the second in 1952. There is also a 1936 edition which is not really complete. We shall use the second edition: José Ortega y Gasset, *Obras Completas*, seg. edición (Madrid: Revista de Occidente, 1952).

This article deals only with Ortega's concept of the "vital and historical reason". According to Ortega, human life is the *radical* reality, because every other reality must appear within it, must be rooted in it. To live is to have to struggle unceasingly with the difficulties which the environment offers; it is to have to choose and make one's very existence every instant. The being of man and the being of nature do not coincide completely. What is natural in man is realized by itself. But, by the same token, he does not acknowledge it as his true being. On the other hand, his extra-natural being consists in a project or program of life. This project or program is our true being, our personality, our ego. Life is the effort to carry out this project within the given circumstance. (Circumstance, in singular, means in Ortega everything except the ego; even our body and soul form part of the circumstance). Life is not something static; it is drama, "substantial" change. In other words, life is essentially time, history. Hence historical reason is the only one able to grasp that radical reality which is life and through it all other reality.

We shall refer chiefly to the writings of Ortega after 1933. Since that year, more or less, his thought has not undergone any great evolution and appears basically unchanged. In setting forth his ideas never abandoned nor essentially changed, we shall make use of any and all of his books, whichever may better discuss them, regardless of date of publication. In the exposition we shall use the direct method; it will be Ortega who will be speaking.

One of the favorite arguments of those devoted to Ortega against those who criticize his ideas is that he has not been understood. The critical notes which I have appended to this article may induce them to make such a statement about my exposition. Nevertheless, I warn the reader that Ortega is understood easily; if there are in his works concepts which are unintelligible, it is easy to understand that they are unintelligible. This conclusion is not based upon any extrinsic reason, like that which denies philosophical depth to Ortega's books because they are translated by women, but rather upon the reading of the books themselves: Ortega's ideas are not excessively deep; besides, he is a master of clear and artistic expression. Of course, we shall not try to understand his thought with reference to problems which he has not discussed sufficiently. His work is not yet ended.

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USELESSNESS OF ABSTRACT REASON. — Rationalism, which is based on abstract reason, is unable to grasp reality. It tries to save truth, but renounces life; convinced that truth is one, absolute and unchanging, and that it cannot be attained by individual persons, which are so variable and corruptible, rationalism assumes that there exists over and above the individual men a certain kind of abstract subject, common to all men of all ages[1].

Rationalism creates a schism within the person between what is vital and concrete, and that rational nucleus which, according to rationalists, enables man to reach the truth, but which does not live, "an unreal phantom which slides unchanged across the time, untouched by the vicissitudes which are symptom of vitality"[2]. But if so, why has reason not discovered the world of truth? As seen by the rationalist, history with its never ending events, lacks meaning and is really the history of obstacles set up to obstruct reason. There cannot exist a more anti-historical and anti-vital point of view than that of rationalism[3].

The rationalist or utopian detour began in Greece; it has dominated European thought during the entire modern period in science, in religion, in art[4]. By means of pure reason it has built a model world — a physical or political cosmos — with the belief that it is true reality. The divergences between effective reality, the things, and pure ideas are such that the conflict is inevitable. According to rationalism it is reality which must capitulate in this conflict. Nevertheless, reality is possessed of firmness enough to resist the attacks of ideas. Faced with this resistence rationalism realizes that for the moment the idea cannot triumph, but it assures us that it will be realized in an "infinite process" (Leibniz, Kant). Thus utopianism takes the form of "ucronism"; as if time, simply by its passing, could be the cause of anything and could make possible what is, in fact, inconceivable[5].

Abstract reason is incapable of apprehending the concrete reality of life, which is, by its very essence, unstable, temporal, historical. The *Theme of our time* consists in subjecting reason to vitality, in substituting abstract reason for vital and historical reason[6]. Vital and historical reason are not two reasons. The same reason which is Vital is historical.

IDEA OF VITAL AND HISTORICAL REASON. — To live is to have to reason vis-a-vis the inexorable circumstance. One can live without pure reason. Many have renounced it; and believing that they have renounced reason *simpliciter*, they have embraced irrationalism. But they are in error; it is impossible to prescind from vital reason, because it is identical with living[7].

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[1] *El Tema de Nuestro Tiempo* (O. C., III, 158 ff.).
[2] *Op. c.* (O. C., III, 158—9).
[3] *Ibid.*
[4] *Op. c.* (O. C., III, 175 ff.; 238).
[5] *Ibid.*
[6] *Op. c.* (O. C., III, 178).

Vital reason is life itself in the sense that living consists, *velis nolis*, in reasoning about the circumstance. Since life does not come ready-made, but rather it is to be made, and since we must constantly choose between the alternative which our situation offers, it is necessary to dominate this situation; and this is to think, to reason. Man, then, since he does not have a being already made, cannot live without orienting himself, without reasoning. Life, therefore, is reason. This is what vital or living reason means.

As life is essentially temporal, historical, so vital reason is historical. If one would wish to understand the concrete life of a man, or to find out why he is as he is, it would be necessary to tell or narrate that he was this or that previously. This man — and the same can be applied to the life of a nation — acts in such a way because before that he did such and such a thing or he behaved in such or such a way. That is to say, here reasoning is made up of a narration, of the telling of a story. This is historical reason[8].

Being of man is but a happening. The most varied forms of being pass by man. He plans a program of life, a type of being, in view of the circumstance. He tries to achieve that figure which he has resolved to be. But, as he tries to achieve it, its shortcomings appear. Then man invents another vital program, which has in sight not only the circumstance, but also his first program, so that he may avoid its deficiencies; thus the second program implies the first, which continues having a negative influence. The second plan of being is followed by a third, formed in view of the second and the first, and so on. In this manner man goes along being and "dis-being", he goes along living, acumulating being (his past), in a dialectical series of experiences. This dialectics is the dialectics of historical reason, it is the *Realdialektik*, of which Dilthey speaks[9].

In order to understand human life it is imperative that we investigate what that dialectical series is, which are its stages, and how the bonds of union within the successive stages are maintained. This is the function of historical reason[10]. "It is a matter of finding within history itself its original and autochthonous reason. Hence the expression "historical reason" must be understood in its strict, rigorous sense. It is not a reason which seems to fulfill itself through history, but rather literally, it is what has happened to man, constituting the substantive reason, it is the revelation of a reality, which transcends the theories of man and which is man himself beneath his theories. Historical reason accepts nothing as a mere fact. On the contrary, it sees all facts within the stream of the *fieri* from which they spring; it sees how they become facts"[11].

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[7] *En torno a Galileo* (O. C., V, 67; 472 f.; 545; VI, 23, 175, 196 n.).
[8] *Historia como Sistema* (O. C., VI, 40—42).
[9] *Op. c.* (O. C., VI, 41).
[10] *Ibid.*

In Greece the terms "reason" and "history" were opposed to each other. In fact, history until now has been the opposite of reason, because until now no one has concerned himself with searching in history for its rational substance. Some, like Hegel and Buckle, have brought to history a foreign reason. Our purpose is strictly to the contrary. We shall find in history itself its original and autochthonous reason[12].

Historical reason is *ratio, logos*. When we oppose it to physico-mathematical reason, we are not granting concessions to irrationalism. On the contrary, historical reason is even more rational than physical reason, it is more rigorous and more demanding than the latter. Physics refuses to understand that of which it speaks; it is inevitable that it should do so, since physics deals with facts. Historical reason, on the other hand, does not accept anything as a mere fact, but rather tries to see how it becomes a fact. It does not believe it possible to explain human phenomena by reducing them simply to a list of instincts and "faculties"; it shows what man does with those instincts and faculties and it even tells us their genesis, for they are mere ideas, interpretations which man has constructed at a certain juncture in his process of living[13].

NEW AND CONCRETE CONCEPTS. — Since historical reason is not the reason of rationalism, it does not function through abstract concepts, but rather through concrete concepts. In the term "knowledge" two very different values must be recognized. There is an abstract knowledge which contains only certain partial ingredients: an abstract man, a surrounding no less abstract, the abstract necessity of an adjustment between the two, and the idea, also abstract, of intellectual activity. Doubtless, every concrete man has done something in which these ingredients played a part, but he has never done anything which contained these ingredients alone. He himself was never the man, but rather a man born on a certain day and bound by a given tradition which influences everything he does. His surroundings were not just any surroundings, but those which represented a system of facilities and difficulties within the life of that man, according to the tradition into which he was born. Finally, intellect is not a fixed entity either, rather its concrete reality varies constantly throughout history, according to the direction to which its activity, education or exercise may have been subjected. Abstract knowledge is a mere algebraic expression, which instead of representing any reality, requires the substitution of letters or "empty places" (*leere Stellen*) for concrete numbers which represent distances, sizes and frequencies. By filling the emptiness of abstract concepts with concrete determinations we obtain the concrete, real knowledge. The term "knowledge" should be restricted to it[14].

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[11] *Op. c.* (O. C., VI, 50).
[12] *Op. c.* (O. C., VI, 49—50).
[13] *Op. c.* (O. C., VI, 50).

The very same thing, therefore, can be thought of in two ways: through empty concepts and through "filled" concepts. If we state that history sets out to discover how human lives have been lived, we can be certain that the listener upon hearing these words and repeating them to himself will think of them in an empty way; that is to say, he does not set before his eyes the reality itself which is human life; he does not think the real content of that idea, but rather he uses those words as an empty bubble which bears on the outside the sign "human life". This empty thinking, this thinking without really thinking is the most frequent way in which we think. The advantage of the word which supplies material support to thought has the disadvantage that it tends to replace thought, and if some fine day we should take stock of the repertory of our most habitual thoughts, we would be painfully surprised to find that we have no effective thoughts but only words or some vague images attached to them. We think effectively when we make use of concrete concepts[15].

Since the being of living things is always distinct from itself, it will have to be thought of by means of concepts which annul their own inevitable identity. However this is not as fearful as it might sound at first reading. Thought has a greater capacity for avoiding itself than is usually supposed; it is able to think what is diametrically opposed to thought. In order to realize what is meant by this let the reader think of those concepts which some call "occasional", as, for example, the concepts "here", "I", "the latter", "life". Such concepts or terms have a formal meaning which serves precisely to make certain the constitutive non-identity of the matter thought of through them[16].

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[14] *Apuntes sobre el Pensamiento* (O. C., V, 538—9).
[15] *En torno a Galileo* (O. C., V, 29 ff.).

PERSPECTIVISM. — The ego is a plan, a program. The facilities and difficulties which constitute the environment will be larger or smaller in relation to the plan which informs us. Thus one can explain why the world is different to every man; the world is not the same for a football player as for a philosopher: where the latter stumbles and falls the former will run with glee[17].

The intellectual tradition of latter days has found in the individuality of each subject an obstacle to attaining truth. Two different individuals, it was thought, would reach different truths. Now we see that the difference between the worlds of two persons does not imply the falsity of one of them. That divergence is not a contradiction, but rather a complement. If the universe would seem to be identical to two individuals set in two distant periods of history, then one would have to say that the universe has no independent reality, but that it is a figment of the imagination which by sheer luck was produced identically in two individuals[18]. Each life is a point of view of universe; and what one does not see the other may see clearly. In order to understand the universe, the total truth, all lives, all points of view are necessary[19].

What has been said about individuals must be said about peoples and periods; each people and each period is able to achieve certain truths and have an utter inability to achieve certain other truths. If one keeps this in mind, all cultures, even those developed by the barbarians, will be held in due respect; there exists a Chinese perspective as justifiable as the Western perspective[20].

Einstein's theory is a splendid confirmation of the perspectivistic doctrine. According to the theory of relativity, an event which, seen from the earth, precedes in time another event, if seen from another point of the universe, for instance, from a star, will appear to be following it. This does not imply that either our image or that of the one dwelling in the star is false. What happens is that one of the qualities of reality consists in having a perspective, that is, in organizing itself in a different way to be seen from one or another place. Space and time are the objective ingredients of physical perspective, and it is only natural that they should vary according to the point of view. It is a mistake to interpret Einstein's theory as subjectivism. When a reality comes in contact with a knowing subject, it reacts by appearing to him. Appearance is an objective quality of what is real and is different according to the condition of the observer, for example, according to his vantage point. Thus perspective, the point of view, considered up to the present as a deforming influence which the subject imposed upon reality, acquires an objective value. If this idea is extended to the moral or aesthetic realms one has found a new way of regarding history and life[21].

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[16] *Historia como Sistema* (O. C., VI, 35).

[17] *Meditación de la Técnica* (O. C., V, 340): *El Espectador* (O. C., II, 19 ff.); *El Tema de Nuestro Tiempo* (O. C., III, 197 ff.; 234 ff.); 'Prologo", *Historia de la Filosofia* (O. C., VI, 395); "Introducción a un '*Don Juan*'" (O. C., VI, 134).

[18] *El Tema de Nuestro Tiempo* (O. C., III, 200).

[19] *Ibid.*

[20] *Meditación de la Técnica* (O. C., V, 340); *El Tema de Nuestro Tiempo* (O. C., III, 197 ff.).

Until the present time philosophy has always been utopian. Each system of thought assumed that it was valid for all times and for all men. The doctrine of the point of view requires, on the contrary, that the vital perspective, from which the system has emanated, be articulated within it, thus allowing its connexion with future and exotic systems[22]. The reduction or conversion of the world to a horizon does not subtract from it the slighest portion of reality: it simply refers the world to the living individual, whose world it is; it endows it with a vital dimension, it places it within the stream of life, which goes from species to species, from people to people, from generation to generation, from individual to individual. In this way the individual difference of each knowing subject, far from hindering him from grasping the truth, is precisely the instrument by which he may see that portion of reality which is allotted to him. Thus each individual, each generation, each period appears as an organ of knowledge which cannot be replaced. Integral truth can be attained only by articulating what my neighbor sees to what I see, and so on for generations[23].

If ones bears this in mind, what seemed in the history of philosophy as a chocking confusion of errors and as a pure dissonance of opinions appears as an orderly development, as a continuity in which human thought passes rationally from one conception to another. The different systems succeed each other in an understandable filiation and the irreducible discrepancies which remain among the various points of view lose their arbitrary character. The impossibility of definitely dominating the universe of reality from one single point of view explains clearly the existence of several fundamental conceptions whose plurality appears to us then inescapable[24].

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[21] *El Tema de Nuestro Tiempo* (O. C., III, 234 ff.).
[22] *Op. c.* (O. C., II, 197 ff.).
[23] *Ibid.*

TRUTH. — One may speak of truth as authenticity or sincerity and of the truth of ideas and of beliefs.

Truth as authenticity is defined as follows: at each moment of life man finds himself faced with several possibilities for doing, for being, and he must choose one of them. In order to do this man must justify to himself his choice, that is to say, he has to ascertain which of his possible actions at that moment is the one which gives more reality to his life, which has more sense, which is the authentic, the true action. If he does choose that one, he knows that he has deceived himself, that he has falsified his own reality[25]. Truth as authenticity is, in the final analysis, the same as morality.

The truth of ideas is quite different from what it has been traditionally thought to be. The truth or falsity of an idea is a matter of "interior policy" within the imaginary world of ideas. An idea is true when it corresponds to the idea which we have of reality. This reality consists of all we depend upon for living, it consists of our beliefs. (Let us not forget, however, that beliefs were originally ideas, that they are interpretations). We do not have the remotest idea of most of things upon which we depend, and, if we do, it is unimportant because it is not a reality to us in so far as it is an idea, but in so far as it is an infraintellectual belief. Among ideas, one seems to us *ideally* stronger and we call it true. But let us not forget that what is true and even what is scientifically true, is merely a particular instance of the imaginary.

> Ideas form a world apart from the real world, a world made up exclusively of ideas which man knows that he has invented and for which he is responsible, so that the firmness of the firmest idea means simply the strength with which it withstands being compared to all the other ideas . . . What cannot be done is to assay an idea, as if it were a coin, by beating it against reality . . .[26].

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[24] "Prólogo", *Historia de la Filosofía* (O. C., VI, 395). Ortega refers to W. Dilthey, *Die Typen der Weltanschauung und ihre Ausbildung in den metaphysischen Systemen*, (Gesammelte Schriften, VII, 75). Ortega knows Dilthey's thought well; he wrote an essay on him, *Guillermo Dilthey y la Idea de la Vida* (1933). He calls him the best thinker of the second half of the XIXnth century; and he says of himself that not having known Dilthey before delayed the development of this thought for ten years.

[25] *Misión del Bibliotecario* (O. C., V, 210—211); *En torno a Galileo* (O. C., V, 82 ff.).

[26] *Ideas y Creencias* (O. C., V, 389 ff.).

It is no longer possible to define truth by saying that it is the "conformity of the mind with reality". The term "conformity" is equivocal. If it is interpreted in the sense of "equality" it is false; an idea is never the same as the thing to which it refers. If the term is interpreted vaguely in the sense of "correspondence", one is recognizing the fact that ideas are not reality, but, on the contrary, ideas and only ideas[27].

Let us consider specifically what we call truth in scientific knowledge. The word which the Greeks used to refer to truth is *aletheia*, which means un-covering, the removal of the veil which hides or covers something. In order to un-cover reality it is necessary that we remove for a moment the facts and objects which surround us and that we remain alone with our minds. Then, through our own reckoning and risk, we imagine reality, we construct an imaginary reality; then, continuing in the solitude of our own imagination, we discover what aspect, what visible figures, in short, what facts, that imaginary reality would produce. It is then that we leave our imaginary solitude, and we compare the facts that the reality imagined by us would produce with the real facts that surround us. If they match, then we have deciphered the hieroglyphics, we have discovered the reality which the facts covered and hid from us[28]. As is plainly seen science consists of two different operations: one purely creative, the other comparative. What we call reality, therefore, is not something given, rather it is the construction that man makes with the material that has been given to him[29].

What has been said about the truth of ideas holds equally, in the last analysis, of the truth of beliefs; for beliefs were originally ideas, and are, therefore, interpretations. The fact that an idea has been consolidated into belief and the fact that by ceasing to see it as a mere idea we regard it as reality itself, must not induce us to forget its original *ideal* nature[30]; beliefs are ideas, figments of men who preceded us.

Within the frame of truth as an "interior policy,' one must add that the truth of each period or generation and of each man depends upon the perspective, upon the point of view of the period or of the individual man. What may be true for one is not true for others. The diversity of philosophical conceptions stems from that; it is impossible to dominate reality from only one point of view. This implies that those various conceptions are partially true. Yet we may say that all philosophy is essentially an error; the past is a history of errors, although not in the sense of the absolutists.

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[27] *Op. c.* (O. C., V., 387—8; 394; 402—3).
[28] *En torno a Galileo* (O. C., V, 16).
[29] *Ibid.*
[30] *Ideas y Creencias* (O. C., V, 402).

For the absolutists the past was an error because they possessed definitive truth. The past error became absolute error when faced with absolute truth. But he who thinks that what is called truth always implies more or less error — the error to which every epoch has a right and to which it is obliged — does not believe that he has disqualified the past upon saying that history is the history of errors. These errors of the past were "necessary errors", necessary for various reasons but above all because other periods had to commit them so that our epoch might be able to avoid them"[31].

A philosophy is the true philosophy not when it is definitive, which is unthinkable, but when it carries within itself, like entrails, the past philosophies and discovers in them the "progress toward itself". Philosophy is history of philosophy[32].

ANTIRELATIVISM. — Historical reason and perspectivism do not imply relativism. According to relativism, each individual has his own convictions more or less permanent, which are true for him; "*the* truth" does not exist; there are only truths which are "relative" to each individual.

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[31] "Prólogo", *Historia de la Filosofia* (O. C., VI, 417). How can that which is said to be partially true be called an error? Ortega does not explain; he merely says in a footnote that the theme demands a change in the traditional notions of truth and error. I think that what he has to say has nothing to do with Jaspers' statement that a truth, first seen and affirmed with great perspicacity, becomes an error because, by the very strength of its prestige, it eventually eclipses every other truth and acts as a dictator; error in philosophy would often result from the fact that a partial truth is established as the only absolute, omnipotent truth (K. Jaspers, *Descartes et la Philosophie*, French translation by H. Pollnow, Paris: Alcan, 1938, pp. 69, 100, 107). What Ortega apparently wants to say is simply this: each life — each people, each period — *is* a point of view; what is true for one is not true for others; what was true for our ancestors, is not true for us; and, by the same token, what is true for us will not be so for future generations. As we have stated, according to Ortega, when man doubts, he improvises ideas in order to acquire again firm ground upon which to settle and continue living. One of these ideas seems true to him, the one which — note the pragmatic tinge — effectively helps him to live (*Ideas y Creencias*, O. C., V., 404—5). Since each life is a different point of view, with its own definite ideology and circumstance, an idea which may be true for one will not be so for another, who has a different point of view. Error is an absurd phantasy, that is to say, a phantasy among the various ones which one can imagine, which does not help him to go on living; it is a dead-end street (*Op. c.*, O. C., V, 405). What may be an error for one, may be truth for another who has a different ideology and vital project. Thus may be explained the fact that Ortega can say that the diverse philosophical systems are true, partially true, and at the same time say that the history of philosophy is a history of errors; those systems were true for those who held them, they helped them to continue living; they are false for us, because they do not perform such a service for us.

[32] "Prólogo", *Historia de la Filosofia* (O. C., VI, 418).

But to renounce truth, as relativists do, is more difficult than it would seem at first glance. In the first place, if truth does not exist relativism cannot itself be taken seriously. Secondly, belief in the existence of truth is a basic fact of human life; if we remove it, life becomes something delusory and absurd. The very removal itself would lack sense and value. Relativism is ultimately scepticism and scepticism is a suicidal theory[33].

The philosophy of vital reason, the perspectivistic theory is neither sceptical, nor relativist, but rather absolutist. However, this absolutism is different from the absolution which enlivened rationalism. Rationalism believed that man could capture the secret of things simply by searching within his mind or spirit for the eternal, absolute truth with which it is presumably filled. It was based upon an over self-esteem[34].

But let us suppose that one denies the existence of those absolute entities with reference to which the concrete determinations of reality would be, according to the old absolutists, merely relative; and that these concrete determinations only are recognized as realities. Instantly these determinations become the only ones which express reality. There will no longer exist an absolute reality and a relative reality in comparison to the former. There will exist only one reality, that which the observer sees from the spot which he is occupying, a relative reality. However, since this relative reality, in the hypothesis, is the only one that exists, it will be the true reality, or, what is the same, absolute reality. Relativism here is not opposed to absolutism; and far from pointing to an error in our knowledge, it grants it absolute validity[35].

Once again Einstein's theory comes forth to confirm philosophy. The center of Einstein's system is the idea of realitivity. Classical mechanics recognizes the relativity of every position in space and time which can be observed by us. But the relativism of Einstein is completely inverse to that of Galileo and Newton. For the latter, the empirical determinations of duration, placement and movement are relative because they believe in the existence of absolute space, time and movement. Man cannot reach the latter; at most, he knows of them indirectly. But if he believes in their existence, all the determinations which he knows will be disqualified as mere appearances, as values relative to the point of comparison which the observer occupies.

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[33] *El Tema de Nuestro Tiempo* (O. C., III, 197 ff.).
[34] *Op. c.*, (O. C., III, 233).
[35] *Op. c.*, (O. C., III, 232).

Let us suppose that, for some reason or other, someone decides to deny the existence of those absolute unattainables in space, time and mutation. At the same time, the concrete determinations which before seemed relative in the bad sense of the term, free from the comparison with the absolute, become the only ones which express reality, the only true reality. For the old relativism our knowledge is relative because that to which we aspire is absolute and we do not achieve it. In Einstein's physics, our knowledge is absolute; reality is relative[36].

The historicism implied in the fact that the radical reality, human life, is time, history, is not to be understood in the sense of empirical relativism. Relativist historicism does not look at things from the perspective of universal history; and, therefore, it cannot even explain adequately particular events; for yesterday cannot be explained without the day before yesterday and so on. History is a system, the system of human experiences, which form a unique and inexorable chain; hence nothing can be truly clear in history as long as all history is not clear[37].

History is a systematic science of the radical reality which is my life. It is the science of the actual present. To consider history as the science of the past is to forget that the past is the living force which sustains the present, and to make it an abstract, unreal thing, which died back in its time. The past is within me; it is my life[38].

CRITICAL NOTES

Ortega rejects what he calls abstract or pure reason, or he only attributes to it a merely formal value. If his criticism were limited to mechanical, pure, Cartesian or Kantian reason, it would be justified. However, he rejects all abstract reason, all abstract, conceptual knowledge, as if it were incapable of supplying us with real knowledge. He speaks as if the abstract concept were an empty, hollow entity in itself, without contact with the concrete, with the real. He speaks as a nominalist would speak. He ignores or does not consider worthy of his attention the Aristotelian-Scholastic concept of abstraction. Many Scholastics also hold that what exists is concrete and individual, but they do not find it impossible or contradictory that we should come to know reality by means of abstract concepts. The concept is a *medium quo*, they say;

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[36] *Ibid.*
[37] *Historia como Sistema* (O. C., VI, 43).
[38] *Op. c.* (O. C., VI, 45).

it is a means at the service of the cognitive "intention" which leads us to reality.

In spite of rejecting abstract reason, Ortega abhors irrationalism. Vital and historical reason, he insists, is reason, *logos*, in the strict sense of the word; it is a more demanding reason than physical reason. Nonetheless, Ortega's philosophy cannot escape the note of partial irrationalism. To consider life as the only approach to reality is to expose oneself to the danger of a new empiricism, to the danger of destroying, at its foundations, a metaphysics of transcendence. Things, he says, are not the ego, but they do not exist without the ego; both the ego and things are dimensions of life. But, this is a gratuitous statement which, on the other hand, fails to save the transcendence of the things with which life is made. In another place Ortega states that circumstantiality does not exclude transcendence *par excellence:*

> Even when we imagine that we think or desire something *sub specie aeternitatis*, we do so because of circumstantial necessity. Moreover: the idea of eternity, of the unconditioned, ubiquitous being, springs within man because he needs it as a counterpart to his inescapable circumstantiality. It is painful to man to belong to one time, to one place, and his complaint against one's inscription in this world of space and time echoes in his thoughts with the idea of eternity. Man would like to be eternal precisely because he is not[39].

However, this idea of eternity, of the unconditioned, ubiquitous being is, like all ideas, a phantasy in the context of Ortega's philosophy. On the other hand, it is not vital deficiency, but rather reflexion upon it, upon our circumstantiality, which must lead us in some way or other to the affirmation that there exists a Transcendent Being. He is not, properly speaking, an object of vital experience. In other words, if God is like a counterpart to our inescapable circumstantiality, it is necessary that there exist within us the power to grasp Him "intentionally", not as a reality present "in person", but as what must be affirmed starting from experience. An affirmation of this type refers to a reality which is independent of my life; a transcendent reality conceived and affirmed as such, a reality, therefore, apprehended and affirmed by means of abstract concepts.

There are many philosophers who admit within the vital, moral and aesthetic realms a subconscious or preconscious and prelogical knowledge which is not abstract, but rather concrete. Up to a certain point Ortega's vital reason could be assimilated to the prelogical, connatural knowledge; and we see no objection to accepting it, so understood. But the error lies in rejecting the abstract reason, as if the vital reason were able to seize all reality within the radical reality, within life. The ego, which, according to Ortega, is a figure, a project, invented by us, can only be conceived by abstract concepts. The ideas which we invent when we lose "the faith of our fathers", when we fall in doubt, are also abstract.

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[39] "A una Edición de sus Obras" (O. C., VI, 348).

Ortega makes a distinction between knowledge that is empty and that which is "filled". The latter is the only valid knowledge, for reality is always concrete and individual. For this reason, he adds, empty knowledge must be filled with concrete determinations. How does one achieve this? How does one obtain concrete, "filled" concepts? Ortega does not explain. However, he insists that it is necessary to produce such concrete concepts, the only ones capable of grasping reality; "it is necessary to create a non-elastic concept of being". Ortega presents as examples of existing concrete — the majority of which apparently need to be invented — those concepts which some call "occasional". Although they possess a certain formal identity, their content, the reality which they express is always different; it must be so, for living being is "substantial" change, instability. This implies the impossibility of judgment which requires a generically identical "supposition" of concepts, and the impossibility of reasoning which, among other things, requires a certain number of concepts and no more.

Two more observations must be made upon this point: if, as Ortega indicates, the new concepts do not exist[40], then how has he been able to write so many volumes about the philosophy of vital reason without them? Is his philosophy not vital or, in the last analysis, are such concepts not necessary? The second observation which we would make is: how is it possible to grasp reality — the naked, primary reality — even by means of concrete ideas, if all ideas are figments of the imagination, creations of our minds, forms applied by the individual to the system of facilities and difficulties, or rather, to the enigma which bare reality is and always will be for us? (The very fact that something is facile or difficult for man depends, not so much on reality itself, but on the project of man.)

During his entire lifetime Ortega has attached great importance to the doctrine of perspectivism. The point of view, he says, does not falsify reality; on the contrary, it is an objective ingredient of reality. Each life is a point of view. (He should rather say each life at each moment is a different point of view.) What one person sees others do not; what is true for one is not true for others. Once again we must note that the reality which appears to be so to one person and different to another cannot refer to bare, primary reality, for this, according to Ortega, is an enigma.

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[40] *Historia como Sistema* (O. C., VI, 34).

Having noted this, one must admit that the theory of perspectivism is valid with regard to perception, art, physical science, technology, etc. Our perception of things is always conditioned, not only by the place, time and the medium, but also by our body, our biological makeup, our cultural situation. If I recognize an object as a pen it is because I belong to a cultural medium in which writing is known. The world of technology, with the meaning it offers to me, is a true world, but it is relative to man and to a given civilization. Even if we consider the pen as a solid, long, thin object, the perception of it is conditioned by the structure of my body; with the help of technical instruments I would see something very different which the naked pupil does not see. It is not even correct to say that at least positive science knows definitely the metal out of which the pen is made; modern science knows that the concepts which it utilizes are not definitive.

This unfinished and historical character of human knowledge is in no way strange, even if one should accept certain unchanging and eternal truths in the philosophical, moral and religious realms. Let us note that the examples suggested refer to the world of technology, of everyday knowledge and of positive science, not to that of philosophy. Perspectivism has, at most, secondary, accidental value in the philosophical realm, which legitimately — Ortega notwithstanding — abstracts from the *hic et nunc*, from the spatiotemporal, biological, cultural conditions of each individual — of each generation and period. Ortega thinks that he has found confirmation for his doctrine of perspectivism in Einstein's theory. However, the theory of relativity refers to mathematics or physics and it is not applicable to philosophy and religion.

Ortega defines the truth of ideas as the conformity of these ideas with the idea which we have of reality; it is a subjectivistic definition. It is consistent with his claim that what we know is not bare reality, but only its interpretations. He says, it is true, that life, with which we find ourselves endowed independently of our will, is the bare, uninterpreted reality; but this our encounter with life is vital; when by reflexion it becomes cognitive it is expressed by ideas. On the other hand, what should we say of the truth of the idea to which our ideas must conform in order that they may be true? The problem of truth can and must be stated as regards this first idea. Speaking specifically of scientific theories or ideas Ortega states that we consider them as true when the facts behave as if reality were such as imagined by our ideas, by our phantasies. There is much truth in this; but one must keep in mind that the construction of such theories implies primary elements of abstraction and above all that scientific knowledge cannot be identified with all knowledge. The criticism which Ortega makes of the traditional definition of truth shows that he does not understand it. In the classic definition "conformity of mind with reality", the term "mind" does not mean ideas, but judgment; besides, who, among the followers of that definition, ever said that "conformity" means equality?

Consistent with his theories of perspectivism and of the essential historicity of human life Ortega states that there does not exist, that there cannot exist a definitive philosophy, that diversity of conceptions is inevitable, that history of philosophy is the history of partial truths or the history of errors, etc. And yet Ortega insists that he is antirelativist. What shall we say of this? It is true that he avoids a certain type of relativism: the kind which is based upon the acceptance of absolute, unattainable realities; for Ortega there are no absolute realities. His historicism is neither empirical nor positivist. But if the philosophy of vital reason is not relativist, how can Ortega declare that truth is different for each individual, each period, each people, and that it is never definitive? It has been noted that in various fields, including that of positive knowledge, truth has a certain historical character. Even from the philosophical point of view, truth considered as the un-covering of reality, is susceptible of more or less, if one understands those words in a qualitative sense, not in a quantitative sense. Human knowledge can be confused or clear, superficial or deep, analytic or synthetic. A philosophical system, both in its speculative and it its practical branches, can be more or less true. In this sense truth is relative and historical; that does not mean that an opinion, a theory or a system, has the right to be regarded as true simply because it belongs to a given historical period, but rather because and in so far as it has un-covered or deepened some aspect of truth. But a truth may be unfinished and nevertheless secured, and in this sense definitive.

Ortega states that historicity affects even our metaphysical being, that it decides the final meaning of our life and acts. Man, in his estimation, is not, in the final analysis, anything but what he makes of himself through his own free projects; he is something that is not yet, a "capacity to be"; and human life is essentially time, history. Now then, if historicity affects the final meaning of our existence, nothing may be considered as valid *simpliciter;* and thus we are led into a new form of relativism. One may object that Ortega accepts, beyond this life, another reality which is more basic and is its root; for in his younger years he wrote:

> «In the agnostic landscape» one refuses under the praiseworthy pretext of prudence to discover the secret of last things, of "fundamental" things, and one keeps his sight firmly fixed upon "this world", because "this world" is what is left of the universe when we have removed from it all that is fundamental; the result is a world without foundation . . .; a small barren island which floats adrift on a mysterious element . . .
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> . . . That line at which "this world" ends belongs to it and is, therefore, of a "positive" nature. But at the same time at that line begins the ultraworld which is therefore transcendent. All particular sciences . . . are today pressing against that line with their own final problems, which are, at the same time, the first problems of the great science of God[41].

In another place Ortega writes:

> How can one be deaf to the final, dramatic questions? Where does the world come from, where is it going? What is the definitive power of the cosmos? What is the essential meaning of life? We cannot breathe hemmed in a zone of intermediary, secondary themes. We need an integral perspective..., not a mutilated landscape . . . Without the cardinal points our steps in life would lack direction[42].

In these texts Ortega recognizes the need of stating the ultimate questions concerning the meaning and origin of human life. However, one must make an important observation here. In discussing Ortega's thought one must determine carefully the date on which he wrote the various texts; there has been an obvious evolution in his thought. In our opinion, these texts above do not agree with many others written later. In later texts Ortega calls life a radical reality, not only in the cognitive order but also in the ontological order; he sees in human life the measure of being, the source or the norm of all values. He states that things do not acquire meaning except when they appear within life. Reality as such should be conceived, in his opinion, as an enigma which man informs and transforms into cosmos. The human mystery has thus lost its depth and breath. Man is a novelist of his very being, Ortega writes; he does not exist except in the measure that he projects and makes himself.

Here we touch upon the basic error in Ortega's philosophical ideas; an error which may have catastrophic effects upon the unwary. Man is, doubtless, an historical being; he decides about his life and his actions in a great measure. But this "capacity to be" is not a mere potency; it includes an actuality, an essential entity, which is a gift that does not come from man. Life, human existence, when we meet it, already possesses a consistency and meaning, which does not come from us, which is universally valid for every man, and which cannot be altered in any way by human choice or decisions. Consistency or essential identity and historicity, far from excluding each other, require each other.

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[41] "Dios a la Vista" (O. C., II, 495—6).

[42] "El Origen Deportivo del Estado" (O. C., II, 608).

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DE MATRIMONIO MARIAE ET JOSEPH

Brussels, Bibl. Royale 1542, f. 227rv

The following brief text discusses the perpetual virginity and the marriage of Our Lady, and may be seen to contain in resume many of the elements of discussion scattered throughout the middle Scholastic period.

Besides presenting the perpetual virginity of Our Lady and offering theological deductions as to its import, as also the genuineness of her marriage concomitant with her vow of perpetual virginity, the author offers an interesting comparison of Mary and Eve bearing on the mediatorship of the former. Eve was the *principium vetustatis corporalis*, while Mary is the *principium novitatis spiritualis.* A further minor interest lies in the author's maintaining the pre-Scotistic position on the sanctification of Our Lady, *viz.* her *sanctificatio in utero;* she was cleansed from sin, not conceived in grace — 'quia fuit mundata ab omni peccato et ab omni inclinatione ad peccatum.'

The author is anonymous and appears to pertain to the middle thirteenth century[1].

DE MATRIMONIO MARIAE ET IOSEPH

Circa secundam partem principalem huius distinctionis, in qua agitur de coniugio Sanctae Mariae et Ioseph, quaeruntur tria. Primo utrum Beata Virgo potuit emittere votum virginitatis. Secundo utrum emiserit simpliciter, vel non; supposito quod sic, quaeritur utrum illo emisso, potuerit contrahere matrimonium; supposito quod sic, quaeritur utrum consensit in copulam carnalem, matrimonium contrahendo. Tertio quaeritur de perfectione illius coniugii.

Ad primum, Gen. I[1a], 'Crescite et multiplicamini,' et Deut. VII[2], dictum est, 'non erit apud te sterilis utriusque sexus,' et ibi vel alibi in Deut., alia littera, 'Maledicta sterilis[3].' Ergo, cum Beata Virgo esset sub lege, quia saltem usque ad Christum ducti fuerint homines sub lege, non poterant vovere quia tenebantur ad contrarium.

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[1] Cf. "The Alleged Fourth Book on the Sentences of Odo Rigaud and Related Documents," *Franciscan Studies*, 1949, pp. 87 ff.

[1a] *Gen.* 1, 18.

[2] *Deut.* 7, 14.

[3] Cf. Lombard, *IV Sent.*, Dist. 33 (*ed.* Quaracchi II, p. 949).

Contra. Magis assimilari melioribus, et in bonis magis est eligendum. Sed angeli meliores sunt creaturae in genere. Ergo, cum per virginitatem magis assimilatur homo eis quam per matrimonium, quia illi non nubunt neque nubentur, sed secundum quod Hieronymus[4] dicit in Sermone de Assumptione Beatae Virginis, 'In carne praeter carnem vivere angelicae naturae et non humanae'; summa est saltem; et similiter eodem sermone 'angelicam gloriam in carne acquirere maioris est gloriae quam habere'. Ergo, hoc magis est eligendum. Ergo, potuit hoc facere Beata Virgo.

Respondeo. Nimirum standum est pro gloriosa Domina. Dicimus ergo quod potuit vovere, et congruebat quod voverat virginitatem. Ratio est quia sicut Eva fuit principium vetustatis corporalis, sic ab ista debuit esse principium novitatis spiritualis. Et ipsa fuit novitatis spiritualis principium primum et materiale, Filius vero eius fuit principium immediatum et efficiens istius novitatis. Et quia virginitas facit hanc novitatem spiritualem — est enim virginitas spirituales nuptiae, maxime cum in voto est — ideo decuit ut ipsa virginitatem voveret, et sic potuit. Quia enim nulla alia ante ipsam nec alius etiam habuit sanctitatem in utero tantam ad minus et ita perfectam sicut ipsa, quia fuit mundata ab omni peccato et omni inclinatione ad peccatum, secundum quod dicit Bernardus ad Lugdunenses[5], 'Puto quod copiosior gratia sanctificationis in ipsam descendit, quae non solum ejus sanctificavit ortum, sed ab omni peccato deinceps educit immunem', ideo ipsa debuit esse principium custodiae virginitatis; et quia principium perfectionem habere decet, ideo in perfectione decuit virginem custodiam virginitatis habere; et ideo decuit ipsam virginitatem vovere. Et ideo patet, quod potuit vovere cum deceret.

Circa secundum, scilicet, utrum vovit, XXVII, Q. 2, Magister et Chrysostomus dicunt, 'Voverat enim Maria se virginem perseveraturam'[6], Secundo, quia virginitatem habuit meritoriam maxime; sed talis est in voto.

Contra. Quia quod sub conditione promittitur non simpliciter promittitur. Ergo, similiter de voto. Sed sub conditione promisit, scilicet, nisi aliter Deus disponeret, ut patet in littera[6a]. Ergo, non est dicendum votum simpliciter quod fecit.

Occasione huius quaeritur cum ista conditio, 'nisi Deus aliter disposuerit', in omni propositione nostra intelligenda sit vel exprimenda, quare de voto vel proposito Beatae Virginis dicitur simpliciter quod virginitatem servare proposuerat nisi Deus aliter disponere vellet?

Respondeo. Simpliciter vovit secundum quod dicit auctoritas. Ratio est quia magnae caritatis fuit; ideo se Deo quantum potuit plus quod in ipsa fuit coniunxit et astrinxit; ideo votum virginitatis emisit. Alia ratio potest esse quae superius tacta est, quia principium novitatis spiritualis esse debebat; ideo Spiritu Sancto dictante quantum potuit a carnali concupiscentia se elongavit; et ideo votum emisit virginitatis per quod homo a carne maxime separatur.

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[4] Hieronymus, *Epis. IX ad Paulum et Eustochium*, c. 5 (*P. L.* 30, 130—131): Et bene angelus ad Virginem Mariam mittitur: quia semper angelis cognata virginitas. Profecto in carne, praeter carnem vivere, non terrena vita est sed coelestis. Unde in carne angelicam vitam acquirere, majus est meritum, quam habere.

[5] S. Bernardi, Epist. 174, n. 5 (P. L. 182, 334): Ego puto quod et copiosior sanctificationis benedictio in eam descenderit quae ipsius non solum sanctificaret ortum, sed et vitam ab omni deinceps peccato custodiret immunem.

[6] c. 2, XXVII, Q. 2 (I, 1063).

[6a] Lombardus, *IV Sent.*, Dist. 30 (*ed.* Quaracchi, II, p. 932): Sane credi potest, non solum Mariam, sed etiam Ioseph apud se disposuisse virginitatem servare, nisi Deus aliter iuberet . . .

Quod ergo primo obicitur, est conditio exprimens propositum, et est conditio distrahens vel suspendens propositum, non de prima qualis fuit illa conditio quam apposuit, sed de secunda, verum est quod sub conditione promittitur non simpliciter promittitur.

Quod ultimo quaeritur dicatur quod quia Beata Virgo maximae fuit humilitatis et maximae fervoris in caritate, ideo illam conditionem quae in animorum propositis intelligitur, non solum in suo proposito intellexit habitualiter, sed ex fervore Spiritus advertit actualiter et expressit, per quam et se Deo humiliter subiecit per humilitatem, et voluntatem suam divinae conformavit per caritatem.

Potest tamen et alia esse ratio, quia enim per Spiritum Dei quem abunde habebat etiam profunda Dei scrutabatur, potest esse quod etsi non in speciali tamen <in> generali iam cogitabat quod de illa aliquid magnum Dominus disponebat, et ideo Spiritu instigante nesciebat si forsitan Dominus ipsam nubere praecepturus erat, et ideo et quantum in se erat, simpliciter virginitatem vovebat, et tamen per unctionem ipsam de omnibus docentem illam actualiter exprimebat, quae tamen secundum suam intentionem voto non derogabat.

Contrarium videtur quod Beata Virgo postquam voverat non potuit licite contrahere, matrimonium, quia XXVII, Q. 1 quasi per totum habetur quod illi qui voverunt non possunt contrahere[7].

Hieronymus[8] etiam super illud I Tim. V, 'cum luxuriatae fuerint' etc., dicit quod voventibus virginitatem non solum nubere sed etiam velle nubere damnabile est.

Contra. XXVII, Q. 1, Nuptiarum, dicit Augustinus, "In coniugali vinculo si pudicitia observatur damnatio non timetur"[9]. Ergo, si aliqua vovet et matrimonium contrahat, et tamen semper servet castitatem quam vovit, non peccat. Ergo, cum sic fecerit Beata Virgo, licitum fuit ei contrahere.

Respondeo. Beata Virgo matrimonium contraxit cum Sancto Ioseph, sed matrimonium potest intelligi contrahi vel secundum legem communem vel secundum privatam, quae est lex Spiritus. Lex communis continet quod est perfectionis in matrimonio, sicut servare fidem, et subicere se altero, et ei obedire, et diligere prae omnibus aliis viris huius. Continet etiam quod est imperfectionis, ut reddere debitum. Lex autem privata, id est lex Spiritus, continet solum quod perfectionis, non quod imperfectionis. Quia ergo caeterae mulieres secundum legem communem contrahunt, et ratione imperfectionis quam continet est illa contraria voto castitatis, ideo quia semper unum illorum expellit alterum, nec similiter se compatiuntur, propter hoc non possunt caeterae contrahere quae voverint sine peccato. Sed Beata Virgo non lege communi sed lege speciali privata ducta et inspirata contraxit, et illa non continet nisi quod perfectionis est, nihil horum contrarium erat suo voto, quia non expellit sed compatitur secum propositum virginitatis. Ideo tali lege ducta contrahens non peccavit. Verumtamen quantum erat non de lege illa vel inspiratione, sed de se, consentit in copulam carnalem, qualiter in sequenti problemate huius apparebit.

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[7] *Decret. Grat.* I, 1047 sq.

[8] I *Tim.* 5, 11; *Glossa ordinaria*, VI, 715 (Antverpiae, 1617): In conjugali vinculo si pudicitia conservetur damnatio non timetur. Sed viduali continentia et virginali excellentia virtus muneris amplioris expetitur, qua expetita et electa, et voto oblata, iam non solum capescere nuptias sed etiamsi non nubatur nubere velle est damnabile. Voventibus enim virginitatem vel viduitatem non solum nubere sed et velle damnabile est.

[9] *Decret. Grat.* I, 1060.

Quod ergo primo obicitur per auctoritates, intelligendae sunt omnes de illis quae non lege speciali privata, sed communi, contrahunt. Responsiones in contrarium verum concludunt in proposito, quod dico propter primam quae de illis quae voverant castitatem et postea lege communi contrahunt simpliciter posset fieri; et tunc falsum et sophistice concluderet.

Propter quod ad illam auctoritatem, 'si pudicitia servatur' etc., dicendum quod Augustinus intellexit non de his quae priusquam contraxissent voverint castitatem, sed de illis qui in matrimonio fidem thori sibi invicem bene servant. Unde pudicitia ibi non accipitur pro abstinentia ab omni coitu, sed pro abstinentia ab omni coitu praeterquam viri proprii, et hoc est pudicitia coniugalis, et sic verum est quod ex illa parte sic fidem sibi servantibus non est damnatio timenda, quia in tali statu potest vita duci et meritorie, per quod eliditur error eorum haereticorum qui nuptias damnant, quia ibi non est hoc modo damnatio timenda.

Circa quartum videtur quod Beatissima Virgo consensit in copulam carnalem, primo, quia hoc dicit Augustinus in littera, et habetur XXVII, Q. 2, Cum ergo[10]. Secundo, quia non est verum matrimonium nisi consentiatur in copulam carnalem, secundum quod supra determinatum est quod consensus matrimonialis est in carnalem copulam; sed verum fuit matrimonium Mariae et Ioseph ut habetur in littera, et habetur XXVII, Q. 2, Omne itaque nuptiarum[11]. Ergo, etc.

Contra. Si consensit in copulam carnalem, ergo perdidit aliquando meritum virginitatis, quia non semper habuit propositum perpetuae continentiae quod ad aureolam virginitatis exigitur. Sed inconveniens est quod umquam perdiderit aliquid meriti, quia semper in merito processit, numquam retrocessit.

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[10] Cf. *Decret. Grat.*, c. 3, XXVII, Q. 2 (I, 1063); Lombardus, *IV Sent.*, Dist. 30 (*ed.* Quaracchi, II, p. 932): De qua Augustinus sic ait: 'Beata Maria proposuit, se servaturam votum virginitatis in corde, sed ipsum votum non expressit in ore. Subiecit se divinae dispositioni, proposuit se servaturam virginitatem, nisi Deus ei aliter revelaret. Committens ergo virginitatem suam divinae dispositioni, consensit in carnalem copulam, non illam appetendo, sed divinae inspirationi in utroque obediendo; postea vero simul cum viro labiis expressit, et uterque in virginitate permansit.'

Inter quos, aut ait Augustinus, perfectum fuit coniugium; perfectum quidem non in significatione, sed in sanctitate: sanctiora enim sunt coniugia pari voto continentium.

[11] Cf. supra n. 10; et *Decret. Grat.* c. 10, XXVII, Q. 2: Omne itaque nuptiarum bonum impletum est in illis parentibus Christi, fides, sacramentum, proles. Prolem cognoscimus ipsum Dominum, fidem: quia nullum adulterium; sacramentum: quia nullum divortium; solus ibi nuptialis concubitus non fuit, quia in carne peccati fieri non poterat sine pudenda concupiscentia carnis, quae accidit ex peccato, sine qua concipi voluit qui futurus erat sine peccato. (I, 1065).

In codice loco 'Omne itaque nuptiarum' legitur 'Causae nuptiarum.'

Respondeo. Sine praeiudicio, credo quod ipsa numquam consensit in carnalem copulam simpliciter loquendo, nec umquam voluit vel proposuit vel consensit venire contra votum quod fecerat inspirata. Notandum tamen quod est consentire dupliciter, ex se et simpliciter, et consentire in alio, sicut credere potest esse simpliciter et determinate, id est explicite, vel credere in alio, sicut fideles simpliciter non credunt explicite istum articulum vel illum, tamen credunt si credunt maiores in Ecclesia. Sic Beata Virgo contrahens matrimonium simpliciter et ex se consensit in coniugalem societatem, sed in carnalem copulam non consensit ex se; consensit tamen in alio, id est, in eo cuius inspiratione hoc faciebat, id est, si ille vellet vel inspiraret carnalem copulam, et sibi etiam in hoc obediret. Sed aliter nec peteret nec redderet. Nec ille qui inspiraverat contrahere inspiraret et carnaliter copulari; et ita debuit facere, quia sicut inspirata votum virginitatis emiserat, sic inspirata cum Ioseph similiter ad hoc matrimonium inspirato matrimonium contraxit, et quia in inspiratione nihil aliud habuisse creduntur nisi quod contraheret, et hoc non erat contrarium suo proposito, ideo nec extendere debebant suum consensum nisi ad contrahendum, et non ad carnalem copulam, nisi ille iterum praeciperet, cuius auctoritate et praecepto matrimonium contrahebant.

Ad secundum dicimus quod est matrimonium contractum lege communi, tamen praecepto divino instituente, et huiusmodi matrimonium semper erat et sic est institutum vel ad propagationem vel ad refraenendam libidinem. Et ideo tale non potest esse matrimonium vere quin consentiatur in illud sine quo ad neutrum illorum per matrimonium attingitur, quia in copulam carnalem, et non est si alter coniugum hoc exciperet in mente cum contrahit - nihilominus reddere tenetur. Et est matrimonium quod non lege communi aliorum, sed lege privata Spiritus, contrahitur, et in hoc non oportet quod consentiatur nisi ad quantum se extendit inspiratio, et tale fuit istud matrimonium; et ideo credo quod numquam simpliciter vel ex se in carnalem copulam consensit, sed solum in alio, id est, Deo, si juberet.

Circa quartum videtur quod fuit verum matrimonium inter eos; verum matrimonium est inter coniuges secundum quod XXVII, Q. 2, quasi per totum[12] ostenditur quod matrimonium vel consensus secundum verba de praesenti est inter coniuges. Sed de futuro est tantum inter eos qui non sunt coniuges, sed desponsati dicuntur. Sed isti fuerunt coniuges, Matt. I[13], 'Noli timere accipere Mariam coniugem tuam'. Ergo, verum et perfectum matrimonium.

Contra. Iohannes XXVII, Q. 2, Inventa[14], quasi loquens ad Ioseph faciendo comparationem quandam, vult dicere quod sic fuit Ioseph vir Mariae Beatae Virginis sicut Christus fuit Filius eius, scilicet Ioseph. Sed constat quod Ioseph ad Christum non fuit vera paternitas, sed tantum putativa, secundum quod dicitur 'ut putabatur filius Ioseph'[15]. Ergo, inter Christum et Gloriosissimam Virginem non fuit verum coniugium sed putativum. (f. 227v)

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[12] *Decret. Grat.* I, 1062; cf. c. 4, XXVII, Q. 2 (I, 1064): Matrimonium enim non facit coitus sed voluntas . . .

[13] *Matt.* 1, 20.

[14] *Decret. Grat.* I, 1075—76: Coniugem dico propterea, ut diabolo virginitatem eius occultem, ut legis instituta non destruam. In sequentibus demonstabo, quod nec ista tua coniux secundum consuetudinem coniugii habeatur, nec iste, qui generatur, tuus filius esse credatur. (c. 44, XXVII, Q. 2).

Respondeo. Verum et perfectum matrimonium fuit inter eos, secundum quod habetur in littera[16], non tamen ut matrimonium et sacramentum, quia non fuit copula corporum quae perfectam significationem facit; sed sacramentum verum et perfectum fuit ut matrimonium vel coniugium, quia in eo fuit interius perfecta coniunctio animorum per perfectum consensum de praesenti in coniugalem societatem et amorem. Unde secundum id Matt. I[17], 'Accipere Mariam coniugem tuam,' dicit Glossa, 'Coniux erat non concubitu sed affectu, non coniunctione corporum sed copulatione animorum'[25]; fuit etiam ibi exterius perfecta subiectio ex parte Beatissimae Virginis; et haec duo sufficiebant ibi ad hoc ut verum esset et perfectum matrimonium inter eos. Voluit autem Dominus suam matrem in matrimonio esse propter multas rationes hic positas, et Ex. XXVII, Q. 2, Ex illis tribus, Cap. Priusquam[19].

Ad primum ergo in contrarium dicendum quod duplex est in matrimonio coniunctio, prima animorum, et quantum ad istam dicunter etiam coniungi, et vere sunt coniuges, etiam si numquam sequatur alia. Alia est coniunctio secundum quam dicitur coniuges et coniungi, id est quando sponsus eam in quam consensit introducit in thorum et ei carnaliter commiscetur.

Et hoc est quod tangitur in Glossa[20], super Matt. praeadducta, quod coniux dicitur propter coniunctionem animorum aut propter commixtionem corporum. Primo modo non secundo fuit Beata Virgo coniux Ioseph, et non primum sed secundum negat Iohannes.

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[15] *Lc.* 3, 23.
[16] Cf. supra n. 10.
[17] *Matt.* 1, 20.
[18] *Matt.* 1, 25; cf. Glossa ordinaria (ed. Antverpiae), V, 45.
[19] *Decret. Grat.*, c. 42, XXVII, Q. 2 (I, 1075); cf. etiam ibid. c. 44.
[20] Cf. supra n. 18.

BOOK REVIEWS

Delhaye, Ph. (Edit.), *Florilegium morale oxoniense, Ms. Bodl.* 633, Pars Prima: Flores philosophorum (Analecta mediaevalia namurcensia, 5), Louvain-Lille, 1955; 130 pp.

We have here a critical edition of the first part of a Twelfth Century *florilegium morale*, now preserved at the Bodleian Library of Oxford. The work is not only anonymous, but has no title, and as far as we know is not preserved by any other codex.

The Introduction (pp. 9—68), compared with the text-edition (pp. 70—106), is long, but most interesting and very well written. It is subdivided into a literary presentation of the text (pp. 9—21) and a doctrinal introduction (pp. 22—64). The literary introduction contains a careful description of the manuscript. One learns that the codex formerly belonged to the monastery of Worcester; it is made up by different manuscripts, containing various tracts on asceticism and liturgy, plus the *florilegium*, which is of a philosophical nature. The *florilegium* was not redacted at Worcester monastery; it is rather the work of a Canon Regular of St. Augustine writing for a younger confrere. The date of redaction is most likely at the end of the Twelfth Century, though the beginning of the Thirteenth Century is not entirely excluded. As for the structure of the *florilegium*, the first and smaller part, the one published by Delhaye, is a tract on general Ethics; it is conceived by the redactor as an introduction to the much longer second part on special Ethics, which will be published by C. H. Talbot of Warburg Institute. As to the contents, the first part is a collection of texts taken from philosophical writings; the second part has texts of a more literary origin.

The *flores philosophorum* following a rather traditional pattern, has five chapters: 1. on good and evil; 2. on the human soul; 3. virtue and virtues; 4. vices; 5. a picture of wise and evil men. The *flores* are taken mainly from Apulaeus, *De Platone et eius dogmate*; Cicero (*De inventione*), the pseudo-Cicero (*Rhetorica ad Herennium*), Macrobius (*In somnium Scipionis*) and other pagan writers are used, too; but the author more or less christianizes this literature, either by simply omitting pagan elements in the phrases quoted, or else by omitting entire passages which were too obviously non-christian. From Christian sources the author cites mainly Isidore, Gregory the Great and Martin of Braga. With the exception of the second half of the chapter on vices, Delhaye discovered all the immediate sources of the tract. Incidentally, it should be noted that none of the sources is Aristotelian. Influence of the tract on later medieval literature is not mentioned.

Delhaye gives, also, a faithful and interesting account of the ideas of the tract; we cannot summarize them here. The principles followed in editing the text closely resemble those of the "Union Académique Internationale" as published at Brussels in 1938.

Prof. Delhaye is to be congratulated for his edition as well as for his scholarly introduction; both of these are models in their field.

E. M. BUYTAERT, O. F. M.

Lottin, Odon, O.S.B., *Psychologie et Morale aux XII^e et XIII^e siècles,* Tome IV: Problèmes de Morale, Troisième Partie, vol. I—II, Louvain-Gembloux, 1954; 944 pp.

These two volumes conclude the great work of Dom Lottin on Psychology and Moral Theology in the Twelfth and Thirteenth Centuries. The topics treated are: the theories on original sin from Saint Anselm to Thomas Aquinas; original sin and baptism according to the authors of this period; moral intention from Abelard to Thomas Aquinas; "finis operantis" in the doctrine of Saint Thomas; Thomas Aquinas and the Faculty of Arts of Paris at the end of the Thirteenth Century; the connection of acquired moral virtues from Saint Thomas to Duns Scotus; the gifts of the Holy Ghost from Thomas Aquinas to Peter Aureoli; infused moral virtues at the beginning of the Fourteenth Century. Then follow some short "addenda" to the proceding volumes (pp. 809—814), an epilog (pp. 815—828), and indexes covering all the volumes of the work (pp. 829—944).

In the body of the latest volumes (pp. 9—807), the method adopted in the preceding volumes is still followed: carefull analysis and interpretation of the medieval writings; research in the source-dependency of and relationship between the different works; edition of pertinent but still unpublished texts. This method is excellent, and has met with great success. No detraction of Dom Lottin's merits implied, one must still realize that the text-editions of the great scholar, in many cases, are not fully critical as they are based only on one or two manuscripts and are without full critical apparatus. One might expect that future critical editions will contradict Lottin's findings in certain details. Still students interested in medieval Scholasticism and theologians in general can only be grateful that so much unpublished material has been brought to light.

A novelty of this fourth and last tome is that the authors of the last part of the Thirteenth Century, from Saint Thomas onwards and some of the first part of the Fourteenth Century have been studied. One must note, however, that the analysis of this period does not have, it seems, the exhaustiveness of the preceding parts of the masterful work, with the possible exception of the study on Scotus.

Important is the epilog. It is not conceived really as a general conclusion of the work, but delivers some interesting observations based upon its findings. Dom Lottin, though he studied more extensively the writings of Thomas Aquinas, is most fair in pointing out the relative value of the different authors and schools of the period. The tremendous progress made by Moral Theology at that time is laid bare and is not explained as a reaction against heresies or the result of ecclesiastical intervention. For as a matter of fact, there were only two official decisions in the field, and apparently, they had no influence on theological progress. Lottin finds the explanation in the fact that the Franciscan and Dominican Orders produced a number of exceptional thinkers and that the current Moral Theology had an extraordinary vitality springing from itself. Among the newest additions to Moral Theology, Lottin mentions the tracts on synderesis and on conscience.

The greatest methodogical deficiencies of that time, according to the epilog of Lottin, were 1. the univocal use of a number of fundamental terms, such as virtue, law, and sin; by implication, this means that the authors proceded a priori, instead of going out from the facts; 2. Moral Theology, especially that of the Twelfth Century does not take into account, at least not adequately, the findings of related disciplines, such as Ethics and Canon Law; as a consequence, the philosophical precisions of theological problems made by the school of Gilbert Porreta did not obtain their deserved influence on theology; 3. excessive use of paralellism and symmetry, disregarding in a number of cases statements of tradition and even of the Bible; 4. a hampering and excessive subjection to "auctoritates", i. e. texts taken from the philosophers, the Fathers, and other ecclesiastical writers; this fourth deficiency explains, for instance, the lack of unity in the Moral Theology of Thomas Aquinas; Thomas, as well as the other authors of the period, was so strongly under the influence of "authorities" of disparate origin — Plato, through Cicero, Nemesius of Emesa and other Greek Fathers, Aristotle, the Bible and the strictly Christian tradition — that his respect for them prevented the elaboration of a coherent synthesis. In the conclusion of his epilog, Dom Lottin states that a Moral Theology, adequate for our times, must avoid the mistakes of the Middle Ages.

One may feel that Dom Lottin exaggerates the importance of "auctoritates" in medieval Theology. Indeed, the authors of that period were not afraid to quote opposing texts of Bible, tradition, and Philosophy; they courageously — if not always correctly, at least from the viewpoint of a historian — sought a compromising understanding of the citations in order to bring them in agreement with their personal understanding of a problem; they even did not fear to contradict some "authorities". In his epilog, Lottin himself admits that, to suit their taste for parallelism and symmetry, the medieval authors changed certain elements of tradition.

One may also feel that Dom Lottin does not adequately stress certain lessons of his gigantic works. One such lesson is the importance, for positive as well as speculative Theology, of serious historical studies as to the background and the sources of a writing. Neither the Bible, nor patristic literature, nor medieval texts fell out of the blue sky; and no exception can be made here for the decisions of General Councils. Quite abortive is it to speculate, for instance, upon the import of a medieval text, before one knows exactly how the author himself understood what he wrote. And one cannot claim to be at the end of the road by merely studying, although honestly, the text of an author and its understanding in subsequent centuries. For the analysis of the writings of a school or later commentators does not *ipso facto* provide a warrant that one correctly understands a particular Master. Historical evidence has proven that foreign elements often slip into the teachings of a school. Hence a precise study of the background and sources of a Master or writer is indispensable and cannot be neglected.

One may conclude that all branches of Theology would greatly benefit, if there were more scholars who could and would follow the footsteps of Dom Lottin. Indeed, a task as difficult as it is richly rewarding from the standpoint of solid Theology. The work of Lottin stands before us as a proof and shows the way.

One feature of the fourth tome of *Psychologie et Morale* is worthy of special note. It is the first of the indexes, which lists chronologically the writings of the Twelfth and Thirteenth Centuries as studied by Lottin (pp. 831—874). After each work the date of the composition is given. A number of recent studies on chronology of medieval writings, which were provoked by the earlier volumes of Dom Lottin, as well as by the works of de Ghellinck, Stegmüller, Landgraf, etc., provide us with new and added information. Hence some of the dates in the index of this fourth tome do not correspond to those proposed or accepted in the earlier volumes of *Psychologie et Morale*. Along with the date of composition, literary connections are indicated, i. e. the sources of the work and the writings it influenced. Here again, at least by implication, the index changes some views expressed in the earlier volumes. For instance, in 1942, the date of publication of Lottin's first volume, the *Glossa* of Alexander of Hales was still unknown; in 1948—1949, when the next three volumes were edited, the *Glossa* was already discovered, but its date was still obscure; now that it has been proven that the *Glossa* (I—II) is from before 1224—1225, Alexander in some cases takes precedence over Philip the Chancelor. (For *Glossa* III, cf. infra).

One cannot but strongly recommend to medievalists an extensive use of this chronological table. It is understood, however, that the index should be considered for what it is intended to be. It is not an exhaustive repertorium of Scholastic literature: Lottin studied texts pertinent to his topics, and not all the writings of the period; some authors such as Roger Bacon, Raymundus Lullus, the Bavarians, etc. are not mentioned at all; those authors or writings not studied by Lottin are omitted from his chronological list. New works on Moral Theology of that period may be brought to light, as, for example, the recently discovered *Florilegium morale oxoniense* (cf. supra), which seemingly came too late to the attention of Lottin for full incorporation into his work. Nor does one find contemporary versions from the Greek, such as *De natura hominis* of Nemesius of Emesa or *De fide orthodoxa* of John Damascene; these works, translated during the Twelfth Century and practically new to the Scholastics, greatly influenced their Psychology and Moral Theology. As said above, writings from the last part of the Thirteenth and the first part of the Fourteenth Century were used only in the last volumes of the set. The list of the writings of this time is incomplete.

It would be a mistake to consider all the dates proposed or accepted by Lottin as definitive. During the last few years numerous chronological precisions have been made, and one may expect that more are forthcoming. This in turn may change one's views on the relationship between certain writings.

And as for the relationships mentioned by Lottin, one has to remember that the author studied psychology and morals only; consequently, it does not necessarily follow that A depends on B for his entire theological system or all his writings, just because A is influenced by B in psychological doctrine.

These observations are by no means intended to detract from the value of Lottin's chronological index or his work in general. It is only suggested that intelligent use be made of the chronological table and its different features, as well as of the entire work.

E. M. BUYTAERT, O. F. M.

Magistri Alexandri de Hales *Glossa in quatuor libros Sententiarum Petri Lombardi*, III: In Librum Tertium, edit. PP. Collegii S. Bonaventurae, (Bibliotheca Franciscana scholastica medii aevi, 14), Quaracchi, 1954; 36*—611 pp.

This third volume of the Gloss of Alexander of Hales, prepared by Frs. V. Doucet, C. Piana and G. Gal, certainly measures up to the high standards of text-editing which the Fathers of Quaracchi have set for themselves.

In the learned Introduction a word is said about *Vat. Lat.* 14345, a manuscript recently discovered by A. Dondaine, O.P., which allegedly may contain fragments of the Gloss of Alexander. The Editors of Quarracchi, though they did not fully study the codex, already discovered that the rubric *Al.*, at least in a number of cases, stands for Albertus Magnus, and not for Alexander of Hales. They note, also, that they did not discover any of the texts of the codex in the genuine work of Alexander.

The main codices upon which the edition is based are again AEL. The three manuscripts represent three different redactions. A or Assisi, Comunale 189 has the oldest redaction, dated from about 1225—1227; E or Erfurt, Amploniana O. 68 comes close to the preceding codex for the passages which they have in common, but otherwise has many additions. Some of these additions correspond more or less to the additions of codex L (Lambeth 347), but the main text of the latter differs rather constantly from A. The redactions contained in E and L were made not long after A. The Editors believe that L was redacted before 1230; the redactor seems to have been Alexander himself, though it is not absolutely excluded that it was one of his disciples.

The Gloss III depends on the *Summa aurea* of William of Auxerre. It influenced the *Summa de bono* of Philip the Chancelor in such a way that it does some damage to the commonly accepted opinion that Philip was an extremely independent author. Note in passing that Dom Lottin in 1948—1949 still believed that Alexander was influenced by Philip, and not vice-versa. Hugh of St. Cher wrote his *Commentarium* after redaction A, but before redaction E; still the Editors do not believe that Hugh was influenced by the Gloss, but that he and Alexander used common sources; but *De anima et virtutibus* of Joannes de Rupella was influenced by the Gloss, mainly indirectly, namely through Philip the Chancelor. Though the *Summa Halesiana* did not copy extensively from the Gloss III, there is enough evidence to conclude that the authors of the *Summa* had redactions A and L on hand. Richard Rufus, also, used both these redactions.

The rules followed for the redaction of the critical apparatus are the same as in the first two volumes. However, for the edition of the texts a new system was adopted. In the other volumes, the additions of E, for instance, were constantly printed under the main text. In this third volume, for each distinction, we first read the text of redaction A with the corresponding passages of redaction E; in second place, but in smaller letters comes redaction L; thirdly, in the same smaller print, the additions of redaction E; on one occasion a long marginal note of codex A, written by a later hand, is printed after the additions of codex E. To make a comparison of the redactions easier, a great number of cross-references have been added, frequently at the end of the paragraphs.

This new system, one feels, was the best solution to the problem of the Editors. Still, one regrets that the system has been changed in the middle of the edition of the Gloss, and that it is not fully carried out in the present volume: a number of additions of codex E are still in footnotes.

E. M. BUYTAERT, O. F. M.

Cummings, Juniper M., O.F.M. Conv., *The Christological Content of the Sermones of St. Anthony*, (S. Antonio Dottore, 4), Padua, 1953; X—8*—143 pp.

This study is based upon the sermons of St. Anthony, the only writings of the Evangelical Doctor which are generally believed to be authentic. St. Anthony constructed his sermons on the liturgy, i. e. he arranged them around the Gospel, Epistle, first (or second) nocturn lessons[1] and the Introit of a Sunday or feast day. This method of writing sermons implies that one finds nowhere a systematic christology; Cummings had to pick the various ideas from different sermons, and order them under different headings. He did it very well, more thoroughly than D. Scaramuzzi in his celebrated *La figura intellectuale di S. Antonio di Padova* (Rome, 1934). The ideas of St. Anthony are grouped under the following headings: Christocentrism of St. Anthony, the hypostatic union, the terrestrial life of Christ, redemption, Christ and our spiritual life; Christ as judge, Christ and our beatitude.

The christological doctrine of St. Anthony appears to be very rich, and mostly quite traditional. Among his more personal ideas one may mention St. Anthony's attribution to Christ of creation in general, and Christ's central place in the creation, governing, an even beatitude of the Angels. However, Cummings does not believe that St. Anthony could be considered to be a fore-runner of the Scotistic doctrine on motive for the Incarnation. To a certain extent St. Anthony seems to come close to some newer tendencies of recent Theology, in that he expresses his doctrine in sermons and appeals constantly to the liturgy and Sacred Scripture; still, in particular, his scholastic tendency to systematize makes him fully a member of the Thirteenth Century community.

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[1] Cummings sometimes says "the first nocturn lessons" (p. 4 and 5), sometimes "the second nocturn lessons" (p. 136).

With every respect for the study as such, one must confess that the system of referring to the sermons of St. Anthony and other literature as adopted by Fr. Cummings is far from ideal. The sermons are quoted under the abbreviations from A (1) till A (84), other literature has the abbreviations B (1) till B (76). But nobody could remember by heart the meaning of these one hundred and sixty abbreviations; consequently, if a reader wants to know the meaning of a footnote, he always has to turn back to the bibliographical list, and even there he has to go sometimes from one abbreviations to another (e. g. from B 76 to B 4, from B 73 to B 52) before he finds what he wants. It is regretful that such a fine study has been made so difficult to read and to use, just for the benefit of shorter footnotes.

E. M. Buytaert, O. F. M.

Spargo, Sister Emma Jane Marie, *The Category of the Aesthetic in the Philosophy of Saint Bonaventure*, (Franciscan Institute Publications, Philosophy Series, 5), St. Bonaventure, N.Y., 1953; XI—162 pp.

A seldom-noted aspect of the philosophy of Saint Bonaventure is the subject of Sister Emma Jane Marie's work in which she maintains that "the category of the aesthetic impregnates the entire thought of Saint Bonaventure" and that the characteristic mark of his works is ,,best described as a universal aesthetic perception of the entire field of reality."

In her introduction she sketches briefly the sources and the influence of Saint Bonaventure's theory of aesthetics. Among those who influenced his thought she mentions Plato, Augustine, Grosseteste and Alexander of Hales, as well as Saint Francis, whose appreciation and love of beauty Saint Bonaventure developed into a metaphysic of beauty. She notes that some modern writers see the influence of Bonaventure's theory in the architecture of the later thirteenth century; for example, in the greater accent on the natural beauty of human beings; in the more rounded and more highly raised figures; and in the increasing number and size of windows, evidence of a greater interest in light developed under the influence of Bonaventure's thought.

In the first chapter of the work, frequent reference is made to a recently discovered manuscript in which Bonaventure makes clear statements of the principles upon which his theory of aesthetics is based. In this manuscript Bonaventure declares that beauty is a fourth transcendental attribute of being. In his statement of the meaning and purpose of beauty, he follows Saint Augustine. Beauty, he says, delights but does not satisfy. Therefore it leads one to seek further, indeed to seek God Himself, who is perfect Beauty.

The material beauty of the world is the subject of the second chapter. The author points out the love of order and systematization evident throughout Bonaventure's work finds expression in his statement that "beauty consists in order." A thing, he says, is beautiful in so far as it corresponds to ontological truth; that is, in so far as it is what it is supposed to be according to the exemplary idea in the Divine Mind.

The third chapter treats of spiritual beauty in creature under three heads: the natural beauty of the soul, the supernatural beauty of the soul, and beauty in angels. The natural beauty of the soul, according to Saint Bonaventure, arises from the harmony of order. The rational creature, that has the power to praise, to know truth, and to turn a gift to its proper use, is "naturally constituted to be ordered to God immediately". The rational soul is capable of attaining to God through its natural powers. Through Christ and His grace the soul, whose natural beauty is damaged by sin, receives new beauties in the theological virtues of faith, hope and charity, in the spiritual senses and in the illumination of the intellect which can extend even to ecstasy. An angel, by nature an image of God, receives its beauty from God and manifests the Divine goodness to others.

In the chapter on Uncreated Beauty, the author remarks that Bonaventure's aesthetic theory took its rise from a deeply metaphysical source, that of exemplarism, and that he places the principle of the most perfect beauty in the Second Person of the Blessed Trinity, declaring that He is the *ratio* of all beauty.

In the fifth chapter the author notes that Bonaventure gives art fifth place among the intellectual virtues, after wisdom, prudence, intelligence and science. He says that man's art, which imitates nature, cannot equal in beauty the works of nature, since nature is the work of God. There follows a rather detailed sketch of the treatment of art in *De Reductione Artium ad Theologiam*, in which Bonaventure discusses the seven mechanical arts, which have for their purpose man's consolation and comfort or the driving away of some need. Of the dramatic art, which includes every form of entertainment, he says that it supplies no physical need, but only comfort and delight.

In the sixth chapter consideration is given to an idea that runs through all of Bonaventure's thought; namely, that all created things come from God and are destined to lead back to Him. The analysis of the way in which the mind proceeds from knowledge of external things to the contemplation of God follows closely *Itinerarium Mentis in Deum.*

The following short paragraph in the conclusion reflects the spirit that permeates the whole of Saint Bonaventure's philosophy and theology:

> The greatness and the beauty of creatures proclaim the greatness and beauty of their Creator, so that the invisible things of God are made known by the things that He has made, and we are led upward, through a knowledge of creatures, as by an intervening ladder, to a knowledge of God. The primary function of beauty in creatures is not to give us complete satisfaction and rest in their pleasures, but to draw us to seek rest in beauty of Him who made them.

A brief review, in the form of a very condensed survey of the content of the book, cannot give an adequate account of the excellent study Sister Emma Jane Marie has made of a very interesting problem in the philosophy of Saint Bonaventure. The reading of this work will be a delightfully rewarding experience for anyone familiar with the philosophy of Saint Bonaventure. All serious students of medieval philosophy should be interested in and grateful for this contribution to Bonaventurean Literature.

SISTER M. RACHAEL

Balič, Carolus, O.F.M., *Joannes Duns Scotus Doctor Immaculatae Conceptionis*, I.—Textus Auctoris, (Bibliotheca Immaculatae Conceptionis —Textus et disquisitiones, 5), Rome, 1954; XI—108 pp.

Since his book *Theologiae marianae elementa* of Scotus, published in 1933, was exhausted for some time, the author has been requested to re-publish at least the texts of Scotus on the Immaculate Conception. This is done here, the texts of Scotus himself constituting the first fascicle of a work which will have three parts: the other two fascicles will contain a study on the "testimonia" concerning Scotus and the Immaculate Conception, from the Fourteenth Century till our days; and an analysis of the doctrine of Scotus himself — an analysis which will take into account the later understanding of Scotus' doctrine.

As for the text-edition of the present fascicle, it is more practical than the earlier edition in *Theologiae marianae elementa*: all of Scotus' texts on the Immaculate Conception are together, without interruption; the former volume had two ranges of variants for certain texts, now all the variants are together; in the earlier edition the variants of certain manuscripts were printed at the end of the volume, which made comparison of the manuscripts quite difficult (such was the case, for instance, of the Cracow codex containing the *Lectura completa*); these variants are now in their logical place.

The over-all system of text-edition strongly recalls the system adopted by the *Commissio Scotistica* for the great edition of Scotus' work, including, for the *Ordinatio*, the value attributed to codex A (Assisi, Comunale 137), and the various tables at the end of the little volume.

One supposes that some minor problems will be clarified in the other fascicles of the same work: to the uninitiated such terms as *Lectura completa*, *Reportatio Valentinensis*, etc. are not fully clear. Since this work will be used by authors who are not acquainted with the great edition and other publications of Fr. Balič, a word of explanation could have been added in the Introduction. The same suggestion could be made concerning the relative chronology and the origin of the various texts.

E. M. Buytaert, O. F. M.

Collins, James, *A History of Modern European Philosophy*, Milwaukee, 1954; 354 pp.

Professor Collins' book is one of those comprehensive studies which, in recent years, we are receiving in constantly increasing numbers from American scholars associated with the most important universities.

It "is designed primarily for students who have some acquaintance with Scholastic philosophy and who seek an introduction to the vast field of modern thought" (Preface). Nevertheless, it will be not less profitable to serious students of other philosophical outlooks.

The author is well aware of the different methods which have been successfully tried in presenting a survey of modern philosophical thought. With a clear insight into the advantages and disadvantages of the various approaches, Collins devotes his work entirely "to some twenty major figures in the modern European philosophical tradition. In each chapter, the aim is to give some brief biographical indications, explain the method and guiding principles of the man's thought, and describe his position in regard to some of the chief philosophical problems" (Preface).

This choice is not only a wise one, but with all the unavoidable limitations it entails, this approach provides the indispensable groundwork for a more detailed scrutiny. It is only on these solid foundations that a serious student is in the position, by means of further study and extensive reading of the original sources, to grasp more fully the common undercurrents which connect the successive systems and conflicting opinions.

As a result, the careful reader of this admirably informed textbook gets a clear view of the most impressive peaks of modern philosophical thought, although he will inevitably see them too exclusively in isolation. It might have been possible to throw a little more light on their mutual connections, and also on the general cultural background they suppose. As the author reminds us, "all great philosophers are still alive" (p. 7—8), but to see them live, one has to look not primarily at the branches and the leaves of the developed systems, but rather one has to search for the deeper roots of their central intuition and for the underlying causes of their thought.

"Several special aids to instruction are provided. The bibliographies are intended to guide the student toward the best editions of the primary sources, the most competent English translations, and a few outstanding secondary books" (p. V). The author has been most honest in fulfilling these promises. The bibliography provides indeed a judicious choice of all that is really indispensable or at any rate most useful. The notes, at the foot of the pages, give succinctly and adequately the information needed.

In a textbook primarily designed for students in Scholastic philosophy, the complete omission of thinkers as Pascal, Malebranche, Kierkegaard and Newman seems not wholly justified; Newman is not mentioned even in the Index.

The minor errors must be astonishingly few; I could detect only a misprinting of a date: Kant's "Foundations of the Metaphysics of Morals" is from 1785 and not from 1783.

Collins' book is an admirable piece of work: perfectly informed and honestly critical, it provides an excellent introduction to the modern philosophical thought, and will be both very helpful to the beginner and profitable to the more advanced student.

G. Semeese, O. F. M.

Vaalbeek (Louvain)

Aubert, Roger, *La théologie catholique au milieu du XX^e siècle* (Cahiers de l'actualité religieuse), Tournai-Paris 1954; 103 pp.

Prof. Aubert believes that 1935—1950 have been epoc-making years in Catholic Theology. In his book he purposes to indicate the characteristics of Theology during these years, or describe the state of Theology now that the second half of this century has begun. Aubert states that the leading center of Catholic Theology is France, with Germany and Belgium runners-up. As a matter of fact but without an explicit admission, he limits himself to a study of Theology in these three countries, and as a consequence, the literature quoted is almost exclusively French, German and Flemish. Allusions to Theology in other countries are rare and vague.

The description of the various characteristics of contemporary Theology are worked out under four headings: biblical revival; liturgical and patristic revival; Theology open to our modern world; Theology and its relations with existentialism and the ecumenical movement.

Characteristic of the biblical revival of the period are: popularization of the Bible and biblical studies; greater space given to biblical considerations in the entire theological field; liberation from rationalistic influence manifest in Catholic exegesis of the Nineteenth Century and the first decades of the Twentieth Century; greater attention given to the background of the Biblical Books by studying better their literary forms, this under the influence of the *Formgeschichtliche Schule*; more emphasis on the doctrinal and religious significance of the Scriptures; more attention given to the spiritual and plenary senses of the Bible, as well as to typology as patronized by a number of Fathers of the Church and as practiced in Liturgy.

Under the heading "Liturgical and patristic revival", one first reads a survey of the recent liturgical movement. Aubert believes that it started in Belgium before World War I, was taken up by Germany after that war, and that currently the leading center is France. Again the author makes a distinction between the more scientific part of the movement (Guardini-Casel-Bouyer-Jungmann-Schillebeeckx), and the more popular side of the movement (Parsch); he forthrightly admits that the movement did not avoid certain exaggerations, and that the aristocratic esoterism of the school of Solesmes failed to influence the movement. He stresses that technical Theology benefited by the movement, especially the tracts on the Sacraments.

Concerning the patristic revival Aubert has less to say, but he points out that instead of using the Fathers in apologetical arguments as they did fifty years ago, recent authors rather look to the doctrinal and spiritual richness of patristic literature, and show how it comes close to the Bible and liturgy. He seems to concede that a large fraction of French literature on the Fathers does not live up to the scientific standards of the scholars of a generation ago.

The third chapter deals with Theology of the laity, of history, and of terrestrial realities. The author conceives all this as one aspect of the recent tendency to bring Theology closer to the masses and at the same time closer to the sources (the author seems to consider as *sources* of Theology the Bible, the Fathers and the liturgy, — an idea rather popular in France, but inexact, since General Councils, medieval Theology, etc. are as much sources of Theology and links in the tradition as the liturgy or the Fathers). Theology of the Laity does not mean that lay-people are writing theological works; Aubert rather sees it in connection with the German "kerygmatic Theology", Catholic Action, the dangers of Marxism, the need of making the laity feel that they are fully members of the society which is the Church. Theology of History and of terrestrial realities according to Aubert, are closely connected with Theology of the Laity, though Theology of History is also obviously related to the study of certain Fathers of the Church.

Under the title "Theology and its relations with existentialism and the ecumenical movement" Aubert studies modern attempts to introduce more psychology and sociology in Theology, without disregard of traditional, Christian ethical elements such as the importance of charity and prudence. This chapter contains some short passages which the reader would not expect to find there, such as a short defence of traditional or Scholastic Theology and a description of recent Mariology.

In his Introduction Prof. Aubert admits that a book of this type is always somewhat provisional and superficial. Upon reading the book one has the impression that the title of the work is a mis-nomer. What one reads is not "Catholic Theology" in the middle of the Twentieth Century, but rather a study — and a good study — of the newer tendencies in French, German and Belgian Catholic Theology: Catholic Theology in these countries is not fully studied, and Theology in other countries is practically omitted. For instance, the tremendous revival of ecclesiastical studies in Spain is completely passed over. A revival of biblical, patristic ad liturgical studies is not only characteristic of the three West European countries the author considers. Prof. Aubert glosses over the omission of studies in traditional Theology — including studies in medieval Theology — as not typical of the period. One is more or less surprised, because even in Germany and Belgium works have been published which are characteristic of the period, such as the "instrument de travail" of a Landgraf, a Stegmüller *(Repertorium Commentariorum in Sententias, Repertorium biblicum Medii Aevi)*, a de Ghellinck, text-editions such as the new edition of Albert the Great, outstanding studies such as the six volumes on Scholastic psychology and Moral Theology of Dom Lottin, the study of P. Anciaux on Penance during the Twelfth Century, the work of D. Van den Eynde on the definition of the Sacraments during the same period, the Dogmengeschichte of Early Scholasticism by Landgraf, etc. And in Italy, for instance, we have the critical editions of Duns Scotus and Alexander of Hales. From a scientific view-point, these works are certainly as good as many books and articles mentioned by Prof. Aubert, and they have characteristics which do as much credit to the period covered by Aubert as other literature analyzed by him.

Mariology is treated very briefly. That this part of Theology is placed under the heading "Theology and the ecumenical movement" is certainly regretful. It tends to stress a completely negative aspect of Mariology: a road block in the way of the ecumenical movement. Some of Aubert's observations about Mariology, though, are quite correct: this branch of Theology is responsible for an enormous literary production during the last decades; too frequently these writings come from highly specialized authors who are isolating Mariology from the rest of Theology, though some of them — a minority, one should say — made real new contributions to Theology as a whole; Mariology as such cannot avoid creating difficulties for the ecumenical movement, for again and again it has to fall back upon the ecclesiology of the Catholic Church, and upon a sound theory of development of dogma.

In conclusion one would say that the book of Aubert gives a fair account of most of the topics considered, but one could not claim that it gives a full survey of Catholic Theology in the middle of the Twentieth Century, as suggested by its title.

E. M. BUYTAERT, O. F. M.

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IN MEMORIAM

PHILOTHEUS BOEHNER, O. F. M.

1901—1955

With a deep sorrow and a sense of irreplaceable loss, the members of the Franciscan Institute announce the passing of their co-founder and first Director, Rev. Fr. Philotheus Boehner, O. F. M. Coronary thrombosis ended the earthly life of Fr. Philotheus shortly after midnight, Sunday, May 22, 1955, terminating a great scholarly career.

Heinrich Boehner was born February 17, 1901, in Lichtenau, Westfalia. He entered the Franciscan Order in 1920, becoming a member of what is now Holy Cross (Saxonia) Province in Germany, and receiving the name Philotheus. He was ordained to the priesthood in 1927. At the time of his ordination he was so ill with tuberculosis that his life was despaired of. However, it was precisely during the long months of rest as a sick man that he began his career as a medieval scholar, for it was then that he translated E. Gilson's work on Saint Bonaventure, and despite many difficulties had the translation published under the title *Der heilige Bonaventura*, Hellerau, 1929.

Against all expectations Fr. Philotheus completely recovered his health and was sent to the University of Münster (1929—1933) to work for the doctorate in biology. During this time he completed the translation of another book of Gilson's, *Introduction à l'étude de St. Augustin*, under the title: *Der heilige Augustin, Eine Einführung in seine Lehre*, Hellerau, 1930. In 1933 Fr. Philotheus received the doctor's degree and published his dissertation, *Über die thermonastischen Blütenbewegungen bei der Tulpe*, in *Zeitschrift der Botanik*, 26 (1933) 65—107. Although later it was philosophy that absorbed most of his time, he kept up his interest in botany and was becoming well known in the United States as a bryologist. His collection of mosses, gathered in the vicinity of Cattaraugus County, New York, and his articles in Saint Bonaventure's *Science Studies*, are noteworthy contributions to bryology. Occasionally he lectured in botany for the biology department at Saint Bonaventure University.

From 1933 to 1939 he was lector of Philosophy for his province, and spent some time in such centers of scholarly activity as Quaracchi, Rome, and Paris. In 1936 he completed the translation of a third book of Gilson's, under the title of *Die Mystik des heiligen Bernhard von Clairvaux,* Wittlich, 1936. These translations naturally brought about a close friendship between Fr. Philotheus and Professor Gilson, and eventually resulted in their collaboration on *Die Geschichte der christlichen Philosophie,* published in Paderborn, 1937. In 1954 this work appeared in its third edition under the title *Christliche Philosophie von ihren Anfängen bis Nikolaus von Cues.*

Early in 1939 Fr. Philotheus was invited by Professor Gilson to lecture in palaeography at the Pontifical Institute in Toronto. When World War II broke out in September, 1939, his friends advised him to leave Canada. At the same time Fr. Thomas Plassmann, O. F. M., then president of Saint Bonaventure College, invited him to give lectures in Franciscan philosophy, and in the summer of 1940 Fr. Philotheus began the work that led to the founding of the Franciscan Institute. From that time on he remained at Saint Bonaventure, gradually building up the Institute into a centre of international Franciscan scholarship. In 1948 the Institute was formally established as a Studium Generale in virtue of the approval of its statutes by the Definitorium Generale in Rome (November 15, 1948), and it was primarily because of the Institute that Saint Bonaventure College was raised to status of University in 1951.

Fr. Philotheus was an excellent lecturer in logic, in the philosophy of Saint Augustine and Saint Bonaventure, in epistemology, and especially in the philosophy of William Ockham. His penetrating and challenging observations, his sure grasp of the subject under discussion, and above all his placid and subtly humorous presentation of disconcerting facts gave his lectures a distinction and charm that never failed to impress those who had the ability to follow them. It is interesting to note that one of his first students is the now famous Trappist-author Thomas Merton.

Fr. Philotheus was known primarily, however, through his writings. He contributed numerous articles to various learned journals, such as *Franziskanische Studien, Der katholische Gedanke, Bonifatius-Korrespondenz, Wissenschaft und Weisheit, Archiv für Philosophie, Recherches de Théologie ancienne et médiévale* (Louvain), *Traditio* (New York), *Review of Metaphysics* (Yale), *Franciscan Studies, Rivista di Filosofia neo-scolastica,* etc. In 1941 he helped reorganize *Franciscan Studies* on a more scholarly basis. It has continued in its revised form through fourteen volumes, and during this time has steadily grown in reputation and influence. And, although Fr. Philotheus resided in the United States (1939—1955), he was still retained on the editorial board of *Franziskanische Studien* and *Franziskanische Forschungen*.

Of far greater importance, however, is the output of scholarly publications that has issued from the Franciscan Institute. Within the space of ten years, 1944—1955, Fr. Philotheus saw the appearance of more than thirty volumes. To facilitate publication, he divided the *Franciscan Institute Publications* into five series: Philosophy, Theology, Texts, History, and Missiology. Fr. Allan B. Wolter was placed in charge of the Philosophy Series (11 volumes published), Fr. Eligius M. Buytaert in charge of the Theology Series (4 volumes published; one volume in press) and the Text Series (10 volumes published, 3 in press); but Fr. Philotheus remained in general control of all the series, including the more popular collection "Spirit and Life Series" now directed by F. Ignatius Brady (nine volumes published thus far).

Besides his publications for the Franciscan Institute (Philosophy Series 1 and 2; Text Series 1, 2 vol. I—II, 9; Spirit and Life Series 3, of which the second edition is now in press), Fr. Philotheus also wrote *Medieval Logic, An Outline of Its Development from 1250 to c. 1400*, Manchester and Chicago, 1952, in which he showed indirectly that neoscholastic logic is basically different from the logic of the Middle Ages. Another book, *The Life, Writings, and Teachings of William Ockham* is now being published by Thomas Nelson of Edinburgh. And at the time of his death F. Philotheus was preparing several more works for publication.

In 1939 Fr. Philotheus published the first *Quaestio* of the prologue of Ockham's *Ordinatio* (F. Schöningh, Paderborn). He was planning at that time to publish the whole of Ockham's commentary on the *Sentences*, but the war destroyed his plans. As soon as he was settled at Saint Bonaventure, however, he could again take up the work, and with the collaboration of Professor Ernest Moody he began to prepare the long-awaited critical edition of Ockham's *Opera omnia theologica et philosophica* (the *Opera non-politica*). When the first volume went to press a few months ago, Fr. Philotheus saw the beginning of the fulfillment of his most cherished ambition. The entire edition is intended to include some twenty-five volumes. Most of the work would have remained in the hands of Fr. Philotheus, although he took care to surround himself with a staff of highly competent collaborators including Professors Eligius M. Buytaert, O. F. M. (since 1954 co-editor of the entire collection), Gaudens Mohan, O. F. M., and Ernest Moody. In fact, Moody prepared the volume now in press, *Expositionis in libros artis logicae prooemium et Expositio in libros Porphyrii de praedicabilibus.*

What effect Fr. Philotheus' untimely death will have on the progress of this work cannot be determined at the moment, but it is obvious that the scholarly world has suffered a great loss. In the difficult and little known field of fourteenth century philosophy and theology Fr. Philotheus was both pioneer and master in research.

Fr. Philotheus was an eminent scholar, and his reputation is so generally established in scholarly circles that little need be said of it here. But he was also and above all a great priest, and this fact is not so generally known. He was a true Franciscan. Eagerly and lovingly he drew spiritual nourishment from the richest sources, the writings of the great masters of Franciscan theology and philosophy, and sharpened his spiritual acumen through the strict discipline of scientific study. Thus he moved through life with the serenity and freedom of action that marks the children of God. He was a genuine lover of nature. He looked upon the beauty of the natural world not only with the trained and appreciative eye of the scientist, but also, like Francis of Assisi, with the delight of one who sees in the loveliness of creation the hand of the Eternal Father.

For all his ambition to accomplish great things, Fr. Philotheus never lost sight of values. He clearly realized the ultimate futility of all purely human endeavor, yet he also clearly realized his duty to work with the talent given him by his Creator. It was the force of his personality that formed the members of the Franciscan Institute into a united whole, and it was his buoyant enthusiasm, his prudence and clarity of vision, that guided his younger fellow scholars and gave them confidence and a feeling of security in their often tortuous and torturing labor.

Fr. Philotheus was a genuinely Franciscan man, and therefore a man of charity. He offered his friendship to all who would accept it, and his friendship was indeed a gift to be prized. His human sympathy was something to marvel at. God alone knows how many weak and weary souls drew strength from his strength, how many aching hearts found solace in his loving kindness. The burden of spiritual guidance weighed heavily upon him and absorbed much of his time; his correspondence was voluminous; yet like a loving father he willingly sacrificed himself for even the least of his children.

It was primarily to make the wealth of traditional Franciscan spirituality available to Franciscan sisterhoods in the United States that Fr. Philotheus founded *The Cord*, a monthly review for religious, in 1950. He contributed many excellent articles to it, and was writing the Monthly Conferences for the current year when death struck.

No words can describe the void that the passing of Fr. Philotheus has left in our midst. But we know that the reward of the just is surely his, for he was a man who lived what he taught, and what he taught was sincerity and truth.

THE EDITORIAL BOARD

A FORGOTTEN THEOLOGY OF INSPIRATION: NIKOLAUS ELLENBOG'S REFUTATION OF "SCRIPTURA SOLA"

Nikolaus Ellenbog is but little remembered as a Catholic polemicist of the 16th century. Yet in his lifetime he was personally known to some of the minor figures of the Reformation, like Oecolampadius, with whom he studied[1], and was intimate with the great adversary of Luther, Johannes Eck[2]. The current semi-oblivion is partly due to the man himself, who chose early to retire to the Benedictine Abbey of Ottobeuren rather than follow the distinguished career his humanistic studies seemed to open to him. To a certain extent, it also derives from his many occupations of a material nature at Ottobeuren, which kept him from joining the frontline of polemicists. His impatience with Lutherans, especially after the peasants' revolt had damaged the library, dear to his heart, of the Abbey, may also have made him fight shy of approaching the Reformers himself[3]. Be that as it may, he has been little published and, accordingly, little studied[4].

Ellenbog, however, took care to follow, by correspondence and through personal interviews, the course of events of his time and country. He did it with eagerness and his extensive correspondence has become a precious source of information. He moreover wished to have his share in the current theological controversies and he wrote anti-Lutheran treatises that are none the less interesting for never yet having found an editor. If his doctrine does not exhibit great originality from the standpoint of constructive thinking, it nevertheless throws useful sidelights on the theology of the 16th century.

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[1] cf *Corpus Catholicorum*, vol. 19/21, p. xlii.

[2] Eck called him *singularissimus amicus*, l. c., p. lvi.

[3] Ellenbog wrote to his friend Nikolaus Entringer, "Ceterum te laudo plurimum, quia pia geris viscera super omnes, qui nova secta infecti sunt; te meliorem perfectioremque esse me agnosco" (April 9, 1543, l. c., p. 478).

[4] The outstanding edition is that of his letters, by Andreas Bigelmair and Friedrich Zoepfl, in *Corpus Catholicorum*, vol. 19/21, Münster 1938. — The few studies are, besides the introduction to *Corp. Cath.*, vol. 19/21, *L. Geiger, Nikolaus Ellenbog*, in *Oesterreichische Vierteljahrsschrift*, 1870, pp. 45—112, 161—208; A. *Bigelmair, Ellenbog und die Reformation*, in *Festgabe Alois Knöpfler*, Freiburg/Br., 1937, pp. 18—42.

Ellenbog died June 6, 1543, two years and six months before the belated opening of the Council of Trent. His last manuscript belonging to the Lutheran controversy dates back to the years preceding 1540[5]. It contains a number of tractates on debated points, to two of which we wish to draw attention: *Tractatus tertius, Lutheranorum errores et dolos peculiarius describens* (fol. 54r—92r. Exact date: 1539) and *Tractatus quintus, Etiam non expressa in scriptura observare debemus, contra nostrates haereticos* (fol. 107r—117r. Exact date doubtful).

These two tractates contain a doctrine on Scripture and Tradition which clearly differs both from the formulas eventually adopted by the Council of Trent, and also from the conceptions of some Catholic contemporaries of Ellenbog to whom recent studies have been devoted[6]. To all appearances, Ellenbog's views on Scripture and Tradition can be equated neither with those of Albert Pigge[7] or Johannes Driedo[8], nor with those of Cardinal Seripando[9]. By some of its aspects, as we will see, Ellenbog's conception comes near to the thought of other polemicists of the century, and it would not be very hard to find antecedents to it. Yet its general trend, which is un-orthodox according to the standard set by Council of Trent a few years later, is on the whole commonly overlooked by historians of theology.

Nikolaus Entringer, a Benedictine from Weingarten, is among the frequent correspondents of Ellenbog. One of his letters may well introduce our topic. Speaking of the polemics with Lutherans, Entringer complains that when he quotes St Augustine's famous sentence, "Evangelio non crederem si non ecclesiae auctoritas me commoveret", the Lutherans turn the argument around: ,,Adversarii nostri hac interpretatione ipsam eludunt; si, inquiunt, ecclesiae auctoritas me non commoverat, idem, si non ita doceret". Entringer therefore asks, "Quaero igitur, utrum ecclesia habeat auctoritatem super evangelium?"[10]

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[5] *Contra nunnulla dogmata Lutheranorum et aliorum nostri temporis haereticorum.* The date, December 1540, is inscribed on the last page. — Our quotations will be borrowed from the Ottobeuren MS., II 302 L. o. 22 (cf *Corp. Cath.*, p. lxxxix sq.).

[6] Ellenbog's *Quaestiones Miscellaneae* (Paris, lat. 3202) end with a *Quaestio 34: Utrum nil tenendum sit nisi quod sacrae literae expresse docent, ut Lutherani volunt*, but the question is followed by no text (cf *Corp. Cath*, p. xcv, n. 1).

[7] cf Hubert Jedin, *Studien über die Schriftstellertätigkeit Albert Pigges*, ch. 4, pp. 124—149, Münster 1931.

[8] cf A. Deneffe, *Der Traditionsbegriff*, Münster 1931, pp. 83—84; Joseph Lodrioor, *La notion de tradition dans la théologie de Jean Driedo de Louvain*, in *Ephemerides Theologicae Lovanienses*, 26 (1950), pp. 37—53.

[9] cf Hubert Jedin, *Cardinal Seripando*, (Engl. ed., 1947) pp. 268—282.

[10] Febr. 8, 1543, in *Corp. Cath.*, p. 472.

Ellenbog's somewhat involved answer starts from the acceptance of four Gospels and the rejection of others by the "primitive church". We must believe in this choice "propter sanctos viros qui in primitiva ecclesia scientia et sanctitate precellentes haec prae ceteris acceptanda statuerunt". The twelve apostles and seventy-two disciples, who had received the Holy Ghost, selected the true Scriptures. "Tanta insuper sanctitate claruerunt, ut nemini prorsus de eorum judicio dubitandum sit. Adde quia novellam plantationem Spiritus Sanctus nequaquam deseruit. Instinctu itaque Spiritus Sancti omnia facta sunt". On account of that "instinct from the Holy Spirit" the customs going back to the Apostles and the decisions of Councils must be complied with. Ellenbog concludes: "Ita scias me plane manibus et pedibus in eorum ire sententiam, qui affirmant ecclesiam habere auctoritatem judicandi de evangelio. It autem maxime convenit conciliis generalibus rite in Domino convocatis"[11]. For Christ himself is present in a General Council.

Interesting as it is, Ellenbog's answer may give the impression of somehow evading the issue. For apart from the selection of the Canon by the primitive Church (really, as he sees it, by the Apostles and first disciples), Ellenbog does not explain in what the "auctoritas judicandi de evangelio" consists. His reference to Councils remains vague. The continued presence of the Holy Spirit in the Church is, however, affirmed in a way that apparently makes it a key to Ellenbog's thought on this point. Another hinge of his argument is the "holiness" of the men who chose the four Gospels. Whereas the former point of view is grounded in the nature of the Church, the latter is exterior to it. A question is therefore posited by that letter: does the power to "judge" the Gospel belong to subjective holiness or to an objective function implying a charism?

Ellenbog's fuller treatment of this subject in his *Contra nonnulla dogmata Lutheranorum* will enable us to solve this point.

In the works we now consider Ellenbog proceeds, in keeping with medieval methodology, by way of authority. He starts with a quotation, usually borrowed from Scripture, though sometimes from one of the Fathers, especially St Augustine. He then compares that citation with some aspect of Lutheran teaching and practice. After which Ellenbog picks up another quotation and uses it in the same way. The result is far removed from the scholastic manner of exposition and reasoning.

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[11] l. c., pp. 478—479.

Ellenbog, one may see it here, is obviously steeped in the humanistic approach to theology rather than in that of the schoolmen. This outward kinship with some aspects of Reformation thought gives all the more sharpness to his disagreements with the conclusions of the latter.

The principle of Ellenbog's solution to the case of Scripture versus Church is well epitomized in the previously quoted sentence, "Instinctu Spiritus Sancti omnia facta sunt". Not only were the Apostles and disciples led by the Spirit in selecting the four Gospels. Not only were the sacred writers inspired by the Holy Ghost. Precisely because Christ did not want to formulate everything himself, he also commissioned the Holy Spirit to continue his teaching. Inspiration is therefore still experienced in the Church: "Ad haec multa habeo vobis dicere, sed non potestis portare modo; cum autem venerit ille Spiritus veritatis, ducet vos in omnem veritatem (*J.*, 16, 12—13). Ecce quomodo Dominus non solum voluit discipulos inhaerere sermonibus ab ore ejus auditis, nec enim omnia eis dixit necessaria aut saltem utilia, quia ad haec multa alia habebat eis dicere. Sed quia nondum erant consummati in gratia nec pro eorum imperfectione tunc talia poterant capere, ideo distulit Dominus talia dicere, sed reliquit id Spiritui Sancto, ut suggereret eis quae adhuc necessaria superfluerant. Plane igitur ex hoc textu convincuntur qui volunt omnia expressa esse in scripturis evangelicis et propheticis. Quum tamen Christus manifeste dicat, 'Quia Spiritus suggeret eis', ecce inspiratio, quem nostrates evangelistarii tollere conantur" (fol. 107v—108r).

Inspiration is from the Holy Spirit. Yet it is mediated by a man. "Et quicquid ab hominibus constituitur respuendum putant (Lutherani) tanquam humanas traditiones, non considerantes quod et Spiritus Sanctus per homines locutus est. Quid enim fuerunt prophetae? Nonne homines? Quid apostoli? Nonne homines? Quid Paulus? Nonne homo?" (fol. 85r).

Nothing would stand out of the ordinary in this notion of inspiration were it restricted to the sacred writers. But this is far from Ellenbog's idea. He attributes such a limitation to Lutherans and argues against it. Still commenting on *J.*, 16, 22, he adds: "Si vero dixerint, Christus hic apostolis locutus est, non aliis, apostoli ergo quodcumque necessarium fuit docuerunt et litteris mandaverunt; nihil ergo ab apostolis non traditum accipiendum. Quibus ego respondeo: si solis apostolis Spiritus Sancti inspiratio et suggestio promittitur, eo quod sermo ad solos apostolos dirigitur, eadem et in aliis locis interpretatio fiat necesse est, ut patet ubicumque Christus locutus est ad solos apostolos, id alios christianos non respiciat. Itaque quando Petrus dicit Domino, 'Ecce nos reliquimus omnia et secuti sumus te, quid ergo erit nobis?' (*Mt.* 19, 27) et respondet Dominus, 'Amen dico vobis, quod vos qui reliquistis omnia et secuti estis me, centuplum accipietis et vitam aeternam possidebitis' (*Mt.*, 19, 29): id solum de apostolis ad quos sermo dirigitur intelligendum est. O bellam interpretationem! Non solum itaque apostolis Spiritus inspiratio et suggestio hic promittitur, sed nimirum omnibus Christi fidelibus ad Spiritum Sanctum suscipiendum idoneis et preparatis" (fol. 108r). In spite of the doubtful value of the comparison, Ellenbog's conclusion leaves no room for doubt: "Idem Spiritus est qui sacras litteras primo scribentibus inspiravit, et qui postea viris sincere veritate et charite eas interpretati sunt"[12] (fol. 111v). "Dominus ergo, cujus manus abbreviata non est quique dives est in omnes, aliter inspiravit evangelistas, aliter apostolum ad scribendum. Idem Deus et sanctos patres succedente tempore inspirare ut potuit, ita et fecit" (fol. 111r). To Ellenbog's mind, a restriction of inspiration to the writers of the scriptural Canon would give the lie to the promises of Christ, the generosity of God, the presence of the Spirit in the Church and the nature of revealed truth.

Who is thus inspired?

Ellenbog would naturally answer, the Church. One of his recurrent reproaches to Luther is that Luther rejects the judgment of "universalis ecclesia". The Holy Spirit is promised "omnibus Christi fidelibus ad Spiritum Sanctum suscipiendum idoneis et preparatis" (fol. 108r). This is why God chooses to himself doctors of the New Testament, who counterbalance the prophets of the Old Testament and interpret their sayings: "An non idem Spiritus qui prophetas inspiravit ad scribendum potuit etiam doctores sanctos eodem spiritu implere, ut prophetatas rite ac vere interpretarentur? Nonne postquam Christus in cruce omnia de se scripta implevit, velum templi scissum est? Quid est, scindi velum, nisi quod tunc ea quae in figura contingebant, jam velo abducto in propatulo erant omnibusque notificanda? Id autem factum est per doctores sanctos qui involucra et mysteria veteris legis et prophetarum reserarunt. Absit ergo ut plus tribuamus auctoritatis prophetis ceterisque veteris instrumenti scripturis, quam scriptis et interpretationibus sanctorum doctorum novi testamenti, quos eodem Spiritu bono peritos interpretatosque fuisse vita eorum sancta testatur" (fol. 112rv).

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[12] It should presumably run: "interpretatus est".

The doctors of the New Testament also supplement the teachings of Scripture: "Immo ubi litterae non habentur, ratione quaerendum et investigandum quid veritati sit consonum. Et quod veritas dictat pro authoritate habeatur. Sine veritate enim nec auctoritas valet. Non sint itaque tam pertinaces evangelistarii nostri, ut nihil acceptare velint nisi expresse in litteris sacris contineatur. Nec enim omnia poterant litteris mandari sed nec totus mundus capere posset (teste Johanne) qui scribendi forent libros. Reliquit quin etiam pleraque Dominus Spiritui Sancto quem erat missurus discipulis, et adhuc nimirum usque ad consummationem saeculi, qui nos informet et doceat de omnibus ad salutem necessariis. Absit autem ut non sint nec fuerint in ecclesia viri sancti zelum bonum habentes, quibus non inspiret aut inspiraverit Dominus suum beneplacens et scripturae genuinum intellectum. Quare optime congruit ut etiam sanctorum virorum scripta veritati utique quadrantia tanquam sacras litteras et authenticas recipiamus" (fol. 112r).

The doctors are the Fathers of the Church ("sancti patres", fol. 111r) and former and later scholars ("doctores sancti . . . et potissime quatuor ecclesiae lumina, aliique vetustiores et etiam juniores", fol. 61v). There are various signs of their inspiration, mainly the holiness of their life, the miracles whereby God witnesses to their mission, their scholarship.

Since Ellenbog considered the Holy Spirit as promised to all the faithful who are prepared for his reception, he makes much of the argument from holiness. "Qui enim fieri posset ut sanctissimi illi viri, quorum vita fuit laudabilis et sancta, quosque nunc inter sanctos relatos novimus, ut miracula quae Deus per eos operatus est clare indubitanterque docent, qui, inquam, fieri posset ut tanti viri quicquam statuissent in ecclesia Spiritui Sancto adversum?" (fol. 65r). This rather negative guarantee introduces a more positive one: "Quod autem Spiritum Sanctum habuerint doctores sancti ab ecclesia recepti, vita eorum honesta et sancta docet, et miracula quae in vita et post mortem operati sunt locupletissime testantur" (fol. 83v). "Qui itaque fieri potuit ut sancti doctores, quorum vita et mores pretiosa est apud Deum, ea quae scripserunt, non scripserint suggerente Spiritu? 'Pulsate, inquit Salvator, et aperietur vobis; quaerite et invenietis' (*Mt.* 7,7). An non instantissime quaesierunt et pulsaverunt ad januam divinae scripturae sancti doctores pro eruenda veritate, pro edificatione fidelium?" (fol. 108r). Negative and positive signs strengthen one another: ". . . vita eorum sancta testatur. Attestantur etiam miracula quae Deus per eos (in testimonium veritatis) operatus est. Testantur et scripta quae reliquerunt fidei catholicae per omnia quadrantia. Hii plane sunt de quibus Salvator ait, 'Ideo omnis scriba doctus in regno caelorum similis est patrifamilias proferenti de thesauro suo nova et vetera' (*Mt.* 13, 52). Frustra plane tot prophetiis sacrae litterae refertae essent, nisi tandem, maxime novissimus temporibus, reseratae fuissent" (fol. 112v).

As is clear from this reference to the Catholic faith, the argument from inspiration does not isolate the doctors from the Church as a whole: just as the doctors do no more than fulfil a promise of inspiration made to all the faithful, their writings and doctrines have no other aim than to acquaint all with what was in the Old Testament committed to the prophets only. Hence the harmony of their teaching with the common faith of all is essential to their function as inspired interpreters of Scripture.

As Ellenbog sees it, inspiration is not a mere assistance whereby the doctors' doctrine on matters of faith avoids substantial error. It is much more. Ellenbog calls it "inspiratio et necessariorum suggestio" (fol. 108r), "inspiratio et suggestio" (id.). He assumes a direct intervention of the Spirit: "Hanc vitam, hunc spiritum (sub cortice litterae) sancti doctores maxima sobrietate, vigiliis et laboribus quaesierunt, et quantum Spiritus Sanctus illis petentibus dedit, tantum litteris mandaverunt" (fol. 107r). He speaks of an "illumination by the Spirit" as a result of which the doctors add something to apostolic doctrine. Just as the Apostles complement the Gospel-writers, the doctors complement the Apostles. All are inspired by the Holy Spirit. "Si licuit apostolo alia superaddere et scribere quam evangelia quatuor continent evangelistarum, modo id evangelicae doctrinae non modo non sit contrarium sed conforme, qui fit ut sanctis viris, eodem Spiritu illuminatis et aeque miraculis et sanctitate fulgentibus, non eadem scribendi tribuatur licentia et authoritas, ut sic addant evangelicis apostolicisque scriptis id quod Spiritu Sancto inspirante hauserunt, ad Dei honorem et proximi edificationem et sacrarum litterarum intellectum?" (fol. 109r). This comparison goes far. For not only are the doctors made equal to the Apostles for their holiness and miracles, their writings also acquire the same value as the apostolic Scriptures: "Dominus ergo cujus manus abbreviata non est quoque dives est in omnes, aliter inspiravit evangelistas, aliter apostolum ad scribendum. Idem Deus et sanctos patres succedente tempore inspirare ut potuit, ita et fecit, quorum dictis aeque standum est . . . "This equality is both qualified and underlined by the end of the sentence: ". . . potissime eorum qui ab ecclesia per tot annos recepti sunt" (fol. 111r). The emphasis is here shifted over to the Church, and it is understood that there are degrees in inspiration. Some doctors, having been received in the Church over long years, have a better standing than others.

The principle of "Scriptura sola" is now breached: because of the Holy Ghost, some post-apostolic writings are endowed with the same binding power as Scripture: "quorum dictis aeque standum est" (l.c.).

What are the contents of these writings? In what way do they supplement Scripture?

In the first place, they convey an authoritative interpretation of Holy Writ. Just as Scripture is authoritative because it proceeds from the joint authority and authorship of God (both authority and authorship being connoted by the term "authoritas"), likewise its interpretation by the doctors in the Church proceeds from the same authority-authorship of God. The only difference resides in that other men are used by God as the mediums of his authority. These "interpretationes" (fol. 112r), which aim at "sacrarum litterarum intellectum" (fol. 109r), this "antiquus ecclesiae ritus" (fol. 91v), "vera scripturae interpretatio" (fol. 64v), "scripturae genuinus intellectus" (fol. 112r), "vera interpretatio litterae" (fol. 116v), form the core of what is transmitted down the ages. In this sense we may speak of a tradition of the Church, though Ellenbog uses the verb, "tradere", rather than the substantive, "traditio", in this connection. "Multae sanae et salutiferae traduntur scripturae et doctrinae, quae canonica scriptura ad plenum et expresse non continentur" (fol. 109r). This tradition of the true sense of Scripture is now progressing, for God still inspires true doctors and preachers: "Missi sunt ad nos doctores et praedicatores qui scripturae verum et genuinum sensum probe tradiderunt. Nunc surgunt heretici et pervertunt omnia. O civitates lutheranae, attendite hunc textum (i. e., *J.* 13, 20). Missi sunt ad vos praedicatores veritatis a Deo et ordinario vestro episcopo . . ." (fol. 75v).

The inspiration of the holy men of the New Testament is not confined to a doctrinal interpretation of the Old Testament, the Gospels and the Apostles' writings. It is also responsible for a number of doctrines and of customs or traditions that are meaningful "ad honorem Dei et ad edificationem proximi" (fol. 109r).

Many teachings of Christ were not included in Holy Scripture. "Non totum scriptum est quod aut Christus fecit aut docuit" (fol. 107v). These were for a part written later under the Spirit's inspiration: "Quod si postea scriptores, et Spiritu Sancto illustrati, quippiam scripserunt prout Spiritus illis suggessit, cur non id ambabus, ut dici solet, manibus amplectamur?" (fol. 107v). For another part, some have been embodied, right from the Apostles' time, in various practices, customs and ceremonies: "Plaeraque disposita et ordinata esse per apostolum in primitiva ecclesiae, quae litteris mandata non sunt . . . Nec necessarium erat omnia litteris mandari, praecipue ceremonias quae ad ornatum ecclesiae et devotionem populi congruamque christianae institutionis observantiam spectabant, non ad fidei salutisque necessitatem" (fol. 108v). "Multae ceremoniae ab apostolis traditae, nec tamen litteris mandatae, ad nos usque devenisse credendae sunt" (fol. 114r). "Credendum ergo pie, quod quae in ecclesiis servantur ceremoniae, ab apostolis usque ad nos defluxisse" (fol. 113v). "Non potuerunt omnia litteris mandari. Apostoli et evangelistae quae magis necessaria videbantur scripserunt. Reliqua sermone explicabant et vita voce docuerunt" (fol. 114r). These are not strictly necessary, but they must be respected, since "addit nescio quid vetustas auctoritatis et reverentiae rebus" (fol. 108v).

Some of these "traditiones" — as also a certain amount of authoritative interpretation of Scripture — proceed from the General Councils. The Councils are clearly in a privileged position, since Christ's promise of being present among two or three disciples gathered in his name is materially fulfilled in them. "Non omnia quae tradita sunt scripta esse, sed traditiones ecclesiae vel ab apostolis esse ordinatas et ad nos usque derivatas, aut a conciliis. Conciliis autem quantam sanctus Augustinus tribuat auctoritatem inde liquet quum dicit, 'Vel plenariis conciliis quorum est in ecclesia saluberrima auctoritas'. Ergo conciliis generalibus standum, quia salubris est eorum auctoritas . . . Adde quod Spiritus Sanctus in conciliis generalibus mirabiliter cooperatus noscitur viris sanctis qui ad gloriam et honorem Dei veritatem enucleare studuerunt" (fol. 113r). "Itaque qui haec spernit non hominem spernit sed Deum qui etiam dedit Spiritum Sanctum in nobis (1 *Thess.*, 4, 8). En Paulus vult ut doctrinae suae credatur nec ab aliquo spernatur. Sic etiam aliorum sanctorum doctorum aut conciliorum generalium scripta non sunt contemnenda, quia et ipsis dedit Deus Spiritum Sanctum. Et qui eos spernit non hominem spernit sed Deum qui locutus est in ipsis" (fol. 83v).

As for the Supreme Pontiffs, Christ's prayer for St Peter guarantees their unfailing teaching: "Nec enim poterit fides Petri deficere, veritate testante, 'Ego rogavi pro te, Petre, ut non deficiat fides tua' (*Lk.* 22, 31).

Quae autem alia fides Petri, nisi quam hucusque incontaminatam tenuit et docuit ecclesia romana?" (fol. 113v). Like the Bishops in a Council, the Supreme Pontiffs take the place of Peter and the other Apostles gathered for the Council of Jerusalem. "Summi pontifices et episcopi reliqui, vicem tenentes apostolorum et seniorum, plura concilia habuerunt in quibus haereses in primitiva ecclesia pullulantes extirparunt, et traditiones scriptis reliquerunt, quibus hactenus fideliter obsecutum est" (fol. 88r).

Since all this process is guided by the Holy Ghost, none of the "traditiones" that are not strictly necessary to faith may be called merely human. Commenting on St. Paul's "Itaque, fratres, tenete traditiones quas didicistis sive per sermonem sive per epistolam meam" (2 *Thess.* 2, 15), Ellenbog writes: "Audiant hic apostolum qui per omnia nudum et planum textum postulant, et quicquid ab ecclesia et universalibus conciliis aliisque sanctis patribus et summis pontificibus traditum est, id humanas esse et vanas constitutiones quibus nequaquam inhaerendum sit. Si evangelica scriptio et Christi doctrina sufficiebat ad salutem, nec licuit homini quicquam addere aut statuere, quare Paulus dedit traditiones Thessalonicensibus tam sermone quam litteris? Peccavit igitur Paulus? Absit. Sed clarissime hic liquet quod traditiones a superioribus, ab ecclesia, a conciliis traditae veniunt acceptandae et observandae a Christi fidelibus; quod pie credendum est quod nil statuerint nisi quod Spiritu Sancto inspirante didicerunt et reipublicae christianae profuturum cognoverunt" (fol. 110r). Customs — such as, v. gr., clerical celibacy — may be changed, but only an authoritative decision inspired by the Holy Spirit may do it: "Sacerdotes passim connubia ineunt, quum tamen sedes apostolica aut concilium generale necdum admiserit faciendum. Cur non expectant miseri, donec decernat ecclesia universalis, ut sana conscientia id facere valeant?" (fol. 110rv).

The last remark seems to imply that the Holy Spirit can, at various periods, "inspire and suggest" opposite customs. There is of course no question of altering the doctrine or interpretation of Scripture. But as for changes in practices, in what Ellenbog calls "traditiones", a curious example is given from Scripture itself.

Ellenbog comments on the circumcision of Timothy, which Paul justified by the necessity of placating the Jews. In this, Paul went counter to the Jerusalem decree whereby Gentile-Christians were declared not bound by Jewish customs. Ellenbog then compares this attitude of Paul with his objection to Peter's placating the Jews at

Antioch: "O Paule, si tu Timotheum propter Judaeos illius loci post edictum apostolorum circumcidi fecisti, cur tantopere assurgis contra Petrum, qui et ipse propter Judaeos Gentibus communicare nolebat et se ab eis propter Judaeorum scandalum subtrahebat?" (fol. 86v) "Cur non vereris arguere Petrum, quum tu in eadem simulationis culpa sis? . . . Hujus facti memor esse debueras, nec Petro apostolorum omnium principuo in faciem resistere: ejusdem enim criminis et tu reus convinceris" (fol. 87r).

After thus frankly stating the problem posited by Paul's change of behavior, Ellenbog puts his opinion forward: "Quicquid sit, ego te, sanctissime Paule, agnosco vas electionis et doctorem gentium et Spiritu Sancto repletum fuisse nec quicquam te egisse, nisi quod Spiritus Sancti instinctu facere licuit. Hic sumi posset argumentum, quod pro tempore alia et alia dissimulare et facere licet in ecclesia" (fol. 97r). Ellenbog's strange overlooking of Peter's own holiness and inspiration would seem to ruin the logic of his argument. For how does he know that Paul, rather than Peter, followed the lead of the Holy Ghost at Antioch?

As far as we are concerned, however, the conclusion Ellenbog reaches is most revealing: "Non mirum itaque si, in progressu ecclesiae Spiritu Sancto semper illuminata, alia atque alia superaddidit, decrevit et statuit, quae apostolorum temporibus non fuerunt, statuitque nunc in fine saeculorum" (fol. 87v). This in turn provides a basic objection to the very idea of the Protestant Reformation: "Facit autem hoc totum contra nostros haereticos et novos evangelistarios, qui omnia ad normam primitivae ecclesiae reformare volunt, quum tempore omnia mutantur" (fol. 87v).

To sum up, two elements may enable us to judge whether or not some "traditiones" or some interpretations of Scripture are truly "authentic": the person or persons who mediated them, and the "vetustas" of their acceptance in the Church.

The first element may be ascertained with the help of two sorts of signs. Some we may call constitutive, like the fact that it proceeds from a General Council, from a Supreme Pontiff, from an Apostle. Others may be called indicative, as the holiness of the men who formulated the "traditio" in question, or the miracles wrought by God in its favor.

The second element connotes continuity or succession. Many expressions of Ellenbog point to this: "vetustas auctoritatis et reverentiae" (fol. 108v), "id quod tot annis a sanctis patribus praedicatum institutumque est in ecclesia" (fol. 109v), "eorum qui ab ecclesia per tot annos recepti sunt" (fol. 111r), "statuta ecclesiae pervetusta" (fol. 114r). This continuity to date shows at each period what "traditiones" are still enforced and have not been cancelled by opposite inspiration.

One may ask at this point, though it should be fairly clear from the preceding pages, whether or not Ellenbog conceives of a purely oral tradition of truths, going back to the Apostles' time from which they would have derived by word of mouth only. Such a conception is attributed, for the 16th century, to Perez de Ayala[13] and to Albert Pigge[14]. It has antecedents, for instance with Ockham's *Dialogus adversus Haereticos*[15] in the 14th century and with Thomas Netter[16] in the 15th.

The answer makes no doubt: Ellenbog does not speak of purely oral traditions. At various points he even says that his "non scriptural doctrines" are nonetheless written in the documents of the Church. "Multae sanae et salutiferae traduntur *scripturae* et doctrinae, quae canonica scriptura ad plenum et expresse non contineantur" (fol. 109r). The Apostles indeed taught "viva voce" (fol. 114r) what they did not include in Scripture; but the interpretation of Scripture by the doctors, the decisions of Popes and Councils are contained in "scripta quae reliquerunt" (fol. 112v), in "ea quae scripserunt" (fol. 108r). "Summi pontifices et episcopi reliqui . . . traditiones scriptis reliquerunt" (fol. 88r).

In other words, "scriptura (canonica)" is not opposed to "traditiones non scriptae" but rather to "scriptura (non canonica)". The "sine scripto traditiones" of the Council of Trent[17] are here covered by "scriptura (non canonica)". Both these scriptures, canonical or not, are inspired by the Holy Spirit.

Not all writings were composed under the guidance of the Holy Ghost. It evidently is one of the weak points of Ellenbog's theory of inspiration in the Church that illusion is possible. If, as he holds, the Spirit is promised to all the faithful who are prepared to receive him, yet the human mind is such that men have never been lacking who mistakenly imagined themselves inspired by the Holy Spirit. As Ellenbog sees it, the criterion of holiness will sort them out. "Ut itaque certum est Spiritum Domini malos nunquam illustrasse ad sacras scripturas edendas, ita nec ad eas interpretandas unquam illustrabit. Relinquitur itaque ut qui absque Spiritus Sancti inspiratione ad interpretandas sacras litteras temerarie accedunt, male locare horas suas et littus arare. Si quid autem litteris mandant, non ea scribunt quae Spiritus Dei vult, sed quae ipsi sibi somniant. Potius itaque pervertunt scripturas quam interpretantur" (fol. 111v).

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[13] cf A. Michel, art. *Tradition*, in *Dictionnaire de Théologie Catholique*, vol. 15, col. 1321; A. Deneffe, l. c., pp. 84—85.

[14] Hubert Jedin, *Studien über die Schriftstellertätigkeit Albert Pigges*, p. 129sq. Jedin calls tradition "the unwritten part of revelation" (*Cardinal Seripando*, p. 277) and seems to attribute this notion to the Council of Trent (l. c., p. 278).

[15] cf George H. Tavard, *Holy Church or Holy Writ, a dilemma of the 14th century*, in *Church History*, Sept. 1954, pp. 195—206.

[16] cf *Doctrinale Antiquitatum*, vol. I, ch. 23.

[17] cf Denzinger, *Enchiridion Symbolorum*, n. 783.

This is precisely the case with the Lutherans. Time and again Ellenbog harps back on their unworthiness. His piling up of unsavoury qualifications presents little originality. Two examples will suffice. Ellenbog asks, "Nonne et ipsi (= nostrates haeretici) homines?" His answer follows: "Immo pessimi et perversi homines, inani scientia inflati et Spiritu Dei vacui, haeretica autem pravitate referti, quorum detestanda vita merito deterrere deberet fideles, ne eos audirent nec scripta eorum legerent" (fol. 83v). "Fatui homines, qui Spiritum Sanctum et unctionem sibi ipsi tribuunt et sanctis viris adimunt. Doctores sanctos qui totam vitam suam in indagandis interpretandisque scripturis sacris contriverunt, errasse dicunt; ipsi vero sutores et textores inter pocula quid divinae velint litterae quaerunt et definiunt" (fol. 89v).

This criterion is strangely coupled with another, ignorance. Ellenbog had noted the perseverance and humility of the doctors. These had applied to Holy Scripture the saying of Christ, "Seek and you shall find; knock and it shall be opened unto you" (*Mt.* 7, 7). Among Luther's followers, on the contrary, even the most ignorant believe they know the sense of Scripture: "Vulgus lutheranus, qui praeter maternam linguam nullam novit, lecto uno vel altero lutherano codicillo, persuadet sibi totius scripturae possidere verissimum intellectum; sed eo longius absunt a vero scripturae intellectu quo minus se errare putant" (fol. 115v). For Ellenbog, coming as he does from a distinguished humanist background, expressions like "vulgus" (l. c.), "scabiosi pannorum textores" (fol. 116r) "rusticus aut simplex laicus" (fol. 116r), "laicus et sellarum artifex" (fol. 116r), "cerdones, sartores aut sutores" (fol. 89r), become proofs of non inspiration. For, "qui fieri potest ut rustici nostri saeculi saniorem habeant sacrarum litterarum intellectum quam viri quondam doctissimi? qui fieri posset ut opifices, in litteris minus eruditi, penitius intraspicerent ea quae sacris litteris continentur, quam illi qui omnem fere vitam in litteris contriverunt?" (fol. 115rv).

There are other such signs. Thus, novelty is opposed to "vetustas": "Miror quod tam cito transferimini ab eo qui vos vocavit in gratiam Christi in aliud evangelium, quod non est aliud, nisi sunt aliqui qui vos conturbant et volunt convertere evangelium Christi (Gal. 1, 6). Id applicari posset lutheranis et evangelistariis nostris, qui novam introducunt evangeliorum interpretationem et ab antiquo ecclesiae ritu evariant. Sed non est aliud evangelium, nisi quod lutherani omnia pervertere nituntur et totam christianitatem perturbare et inquietare" (fol. 81v). Among the Lutheran novelties of interpretation, Ellenbog lays special stress on the rejection of spiritual senses: "Litterae innituntur, nec audire volunt aut acceptare sanctorum interpretationes mysticas, anagogicas, quas somnia esse dicunt; allegoricas rejiciunt; et quicquid littera expresse non sonat, id temere negant et abjiciunt" (fol. 107r). "Qui nihil admittere volunt nisi expresse in canonica scriptura contineatur, hi jam allegoriam, tropologiam, mysticum aut anagogicum sensum de scriptura tollent. Et tamen Christo auctore et Paulo apostolo hos quatuor litterae sensus et interpretationes tenemus et didicimus . . . Item tollentur omnes figurae veteris testamenti, cum tamen apostolo teste vetus testamentum sit figura novi" (fol. 109v—110r). Lutherans are in no position to perceive the hidden sense of Scripture: "Ex omnibus praedictis concluditur quod sacrae litterae non semper ut verba sonant interpretandae sunt, sed requiruntur nonnumquam secretiorem interpretationem et intelligentiam, rusticis et textoribus prorsus ignotam" (fol. 117r).

The factual outcome of an interpretation of the Gospel may also be a proof that it is not inspired. Ellenbog has a bitter memory of the peasants' revolt. He sees it as the fruit of Luther's teaching: "Hinc est ut Lutherani illi concionatores auctores fuerint illius inauditae conjurationis et conspirationis rusticorum per Allemaniam anno 1525" (fol. 64v). (Ellenbog adds quietly, "Sed Deo sint gratiae: cito sunt repressi et humiliati insani illi rustici, et multa millia rusticorum interierunt".)

The calamities of his time Ellenbog simply attributes to Luther's example. "Videamus nunc fructum qui emersit ex praedicatione Lutheri et complicium. Nunc omnis devotio et fervor in Deum evanuit a populo. Subjectio et obedientia a subditis defecit. Verecundia et continentia a religiosis recessit. Nulla nunc honestas aut fides" (fol. 114v—115r).

Among other ominous implications or consequences of Luther's ideas, Ellenbog emphasizes the self-destroying nature of the principle of "Scriptura sola". For, if something must expressly be mentioned in

Scripture in order to be believed, it logically follows that a doctrine must also be expressly rejected in Scripture in order to be rejected. Thus "Scriptura sola", if it is pushed to its consistent end, makes no sense: "Si illi nihil admittendum censent nisi quod expresse in evangelio continetur, cur non econtra eadem nobis liceat contra eos uti cautela, ut nihil patiamur ab eis reprehendi, nisi quod expresse in evangelio prohibetur? Oppositorum enim eadem ratio. Ipsi nihil affirmandum aut tenendum ponunt, nisi quod expresse ponit textus evangelicus: liceat et nobis pari ratione non admittere ut quicquam negetur aut calumnietur, nisi quod evangelicis verbis expresse prohibetur" (fol. 110v). "Qua ergo facilitate et temeritate Lutherani omnia refutant quae expresse in canonicis litteris non continentur, eadem facilitate et libertate licet nobis eorum figmenta et perversam doctrinam respuere" (fol. 62r).

Ellenbog's conception of post-apostolic inspiration is clearly the mainspring of his denial of the Protestant principle on "Scriptura sola". One may even say it forms the core of his whole theology. For once such a notion has been adopted of God's assistance to his Church, three important problems of Catholic theology have to be considered foreclosed. The question of the development of doctrine is immediately shelved. No true development takes place. There are, instead, further "suggestions" of the Holy Spirit throughout the history of the Church, whereby more precisions or deeper interpretations are "added" to the original deposit of faith. The problem of authority, and the connected question of prophetism in the Church, also find a too easy answer: "inspiratio" God grants to some public functions — of Bishop, of Supreme Pontiff — and to personal holiness. The problem of authority is solved by functional inspiration and that of prophetism by personal inspiration. The practical relationships of these two are not thereby regulated. Yet since the same Spirit, on principle, inspires both, no real conflict ever surges and difficulties in harmonizing them become, to a great extent, artificial. The Spirit then unites what a purely theoretical approach would have opposed.

As conceived by Ellenbog, "inspiratio" explains both the history of doctrine and the growth of liturgical and disciplinary customs. The entire life of the Church is thus covered by it. The theology of post-apostolic inspiration has actually hit upon a universal category where all the dilemmas that arose in the 16th century are uncoiled without effort.

True it is, this theology is not completely detailed out by Ellenbog. For if post-apostolic inspiration is simply identified with the inspiration of the sacred writers, if it is equated with a real teaching of the Spirit completing the teaching of Christ, its theological structure and its psychological setting are not analyzed. Ellenbog affirms its existence but does not describe it in itself. A thorough study of post-apostolic inspiration as conceived in the 16th century would therefore have to investigate other Catholic controversists of that period.

For Ellenbog did not stand alone. Though we have no space for a prolonged enquiry here, we may indicate that the Franciscan Nikolaus Herborn comes nearer to a psychological outline: "Ipse Deus sua vi ac potentia intellectum hominis immediate illustrat, movet ac ad se rapit efficaciter . . . Eo modo olim saepe ac in dies per revelationem loquitur Deus, dum ea quae agenda vitandaque sunt, palam facit sanctis hominibus Spiritu Sancto inscribens veritatis notionem animis vivis . . . Hoc verbo edocti sunt prophetae . . . Loquuntur et patres sacris in conciliis, dum Spiritu Sancto duce fidei causas terminant . . . Itaque hoc verbo irradiantur ii, qui de se nihil sentiunt, qui sese demittunt atque dejiunt"[18]. Herborn makes it a mystical experience (which no doubt posits more questions than it solves . . .).

On the level of its theological structure, the Franciscan Kaspar Schatzgeyer reports it as the opinion of "Luther's adversaries" that "Christus non omnia discipulis et fidelibus tradenda in propria persona revelavit, sed multa Spiritus Sancti magisterio reservavit, nimirum cum sit Corporis Christi mystici, quod est Ecclesia, Spiritus, vitam, sensum et motum influens in ipsum et omnia ejus membra"[19]. Such "revelata per Spiritum Sanctum de voluntate Patris" are delivered "sponsae Ecclesiae", especially in Councils, and do not seem to entail mystical charisms that would be experienced individually: this may open another — more theological — line of thought on post-apostolic inspiration.

We do not have to trace the history of this conception in the 16th century. Two remarks will suffice here. In the first place, there is a certain similarity with the protestant, especially Calvinist, idea of the interior testimony of the Spirit. Yet inasmuch as he does not make that inner illumination into a further revelation, Calvin stands nearer than Ellenbog to the common Catholic theology.

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[18] *Locorum communium adversus hujus temporis hereses enchiridion*, 1529, in *Corp. Cath.*, vol. 12, p. 47.

[19] *Scrutinium divinae Scripturae*, 1522, in *Corp. Cath.*, vol. 5, pp. 88—89. — "Inspiration" may not represent Schatzgeyer's personal view: he reports it as an opinion, which he ascribes to "catholici" and "Lutheri adversarii".

In the second place, Ellenbog's notion of inspiration did not fare well at the Council of Trent. Session IV of the Council (April 1546) canonized a doctrine which excludes a post-apostolic introduction of truths into the deposit of faith: the Gospel, as the "fons omnis et salutaris veritatis et morum disciplinae", is contained "in libris scriptis et sine scripto traditionibus, quae ab ipsius Christi ore ab Apostolis acceptae, aut ab ipsis Apostolis Spiritu Sancto dictante quasi per manus traditae ad nos usque pervenerunt"[20]. Since the "non scriptural traditions" wherein, as in the Scriptures, the source of faith and morality is to be found, originate with the Apostles themselves, the charism of "inspiratio et suggestio" envisaged by Ellenbog is now restricted to apostolic times.

The center of Ellenbog's defense of the Catholic faith was thus driven out of Catholic theology.

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[20] Denzinger, l. c., n. 783

SUPPLEMENTUM AD "BULLARIUM FRANCISCANUM" EX QUODAM OPERE INEDITO I. H. SBARALEA RESTITUENDO

Qui etiam recentius historiae antiquae Provinciae bononiensis operam navarunt, cum pro fatis texendis unius alteriusve conventus[1], tum pro illius praestantioribus religiosis illustrandis[2], non sine parva utilitate opus *Provincia Bononiensis ord. Minorum Conv.*, contentum in *Bibl. Gambalunga, Arimini, cod.* 165, contulerunt. Nihil mirum si omnes opus Francisco Antonio Righini, O. M. Conv., tribuerint, cum praelaudata *Provincia Bononiensis* exstet inter scripta illius auctoris et in dorso voluminis auro impressa legantur verba: *Righini operum tom. XIV.*

Nonnullis exsurgentibus dubiis, opus examini subiecimus et gratia alterius MS eamdem historiam ferentis, paternitate — saltem absoluta — Francisco Ant. Righini abiudicata, opus tribuendum esse quoque Ioanni Hyacintho Sbaraleae statuimus[3]. Prorsus inutile censemus aliquid praemittere de istis duobus scriptoribus, cum inter cultores historiae nostrae nemo sit qui ignoret auctorem *Bullarii Franciscani* et *Supplementum . . . ad scriptores trium Ord. S. Francisci*, cuiusque bibliographia novo opere nunc ditatur. Postquam hoc demonstraverimus, sensu patefacto quo scriptum Sbaraleae quoque tribuimus, nonnullas bullas ineditas ibi repertas edemus.

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[1] Ex. gratia C. Mesini, O. F. M., *Il giurista bolognese Pace dei Paci (sec. XIII) fondatore di un convento francescano*, in *Studi Francescani*, s. 3, IX (1937), 98, nota 1; L. Garani, O. M. Conv., *Il bel S. Francesco di Bologna*, (Bologna, 1948).

[2] G. Giovanardi, O. F. M., *Un frate minore martire del sigillo sacram. a Rimini nel sec. XV per opera di Sigism. P. Malatesta*, in *Studi Franc.*, n. s. I (1915), 353; *Ancora sul martire . . .*, ibid., n. s. III—VI (1916—1920), 26; Idem, *Cronaca del P. Aless. Righetti Min. Conv.*, ibid., n. s. II (1915), 29s, 34, 178, etc.; A. Pasini, *Il B. Andrea Mastri da Meldola († 1455) dei Fr. Min. Conv.*, in *Miscellanea Francescana*, XLVIII (1948), 345—57.

[3] Cf. D. Sparacio, M. C., *Gli studi di storia e i Min. Conv.*, in *Miscellanea Francescana*, XX (1919), 101—5, 113—23; de Righini eiusque operibus in particulari cf. C. Tonini, *La cultura letteraria e scientifica di Rimini dal sec. XIV ai primordi del XIX*, II, Rimini 1884, 470s; Ser. Gaddoni, O. F. M., *I Fr. Minori in Imola*, Quaracchi 1911, 138; Salv. Tosti, O. F. M., *Ordinationes Fr. Min. Conv. gen. et prov. Marchiae saec. XV*, in *Arch. Franc. Hist.*, XVI (1923), 127—31.

I. — DE DUOBUS CODICIBUS DEQUE OPERIS AUCTORE

1. Opus continetur in sequentibus duobus codicibus: Primus (= S), apud nos; chart., pp. iv + 279, mm. 277 × 196, unica manu conscriptus, exceptis nonnullis foliis adnexis documenta et epistolas ferentibus et pp. 277 et 279; coopertus est pergamena, et in dorso auro impressa sunt verba: *Provincia Bononiensis.* Hunc codicem emerunt PP. B. Bughetti et S. Gaddoni a Patribus Conventualibus conventus S. Francisci Bononiae.

Alter codex in *Bibl. Gambalunga, Arimini, MS 165* (= R); chart., pp. 468, mm. 290 × 120, duplici saltem manu conscriptus; alterius manus sunt "Additiones" inde parum a principio (pp. 342—468); coopertus recentius dimidia pergamena. Inscriptionem in dorso iam novimus[4].

Potius quam de duobus codicibus, loquendum esset de duplici redactione eiusdem operis, quarum primam exhibit S, secundam vero R. Uter codex idem opus continet eumdemque textum, sed non desunt differentiae; v. g. quae vix enuntiata sunt in S, integre referuntur ab R, ita ut bullas, inscriptiones aliaque documenta, quorum S exhibet tantummodo *Incipit,* integre invenies in R (cf. S, p. 209, 213 s, 219, 224, 226—8; R, p. 231, 238, 243, 253, 269, 273—5, 278). Adsunt quoque additiones non parvi momenti; sic documentorum series in R, p. 355—67, ad sacellum S. Antonii iuxta conventum Ariminensem spectantium, penitus desideratur in S, p. 221.

Character duplicis redactionis evidentior fit si partium dispositio comparative inspiciatur. Index generalis capitum totius operis exhibetur ab S (p. I—III) et omittitur ab R. In cap. 1 (S, p. 1—17; R, p. 1—10) agitur de Provincia in genere, de loco ab eadem habito in antiquis Provinciarum elenchis, de S. Antonio Patavino qua eius patrono etc.; recoluntur fratres in scriptis insigniores, praestantiores quoque ratione dignitatis cum in Ecclesia tum in Ordine; agitur de Inquisitione in provincia Romandiolae Minoribus concredita, sed series Inquisitorum — ipso auctore confitente — imperfecta est valde ob monumentorum defectum. Cum de interna Provinciae constitutione, de professoribus ac de gymnasiis disseritur; dein conspectus traditur conventuum. — In cap. 2—6, scilicet in quinque capitibus ratione quinque Custodiarum quibus efformabatur Provincia, de singulis conventibus agitur, primo quidem de tempore fundationis inquiritur, historiaque enarratur, et, si aliqui noscuntur, notitiae traduntur de viris praestantioribus cum sanctitate tum scientia, qui in unoquoque conventu floruerunt. Eadem retenta Custodiarum dispositione, ordo quem sequitur S quoad singulos conventus, penitus evertitur ab R, ut patet inspicienti attente sequentes tabulas:

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[4] Apud. G. Mazzatinti, *Inventari dei Mss. delle Bibl. d'Italia,* II (Forlì 1892), 155, praebetur tantummodo notitia voluminum sub Righini nomine insimul sumptorum.

Conventus Custodiae Bononiensis[5]

Bononiae (S 18, R 15).
S. Ioannis in Persiceto (S 71, R 70).
Ricardinae (S 73, R 60).
Runcorum sive Argelatae (S 75, R 67).
*Pacis (S 76, R 57).
*Varignanae (S 76, R 58).
*Planorii (S 77, R 62).
*Confortini (S 78, R 64).
*Crespellani (S 78, R 63).
*Calderariae (S 78, R 66).
*S. Pauli in Monte (S 79, R 58).
*S. Mariae de Monzone (S 80, R 62).
*Francisci prope mon. O. S. C., Bononiae (S 80, R 57).

Custodiae Ferrariensis

Ferrariae (S 81, R 71).
Mutinae (S 105, R 97).
Regiensis (S 111, R 107).
Carpensis (S 114, R 104).
Corrigii (S 117, R 110).
Fanani (S 119, R 103).
Argentae (S 120).
Herberiae (S 121, R 117).
Portus Maioris (S 122, R 125).
Saxoli (S 123, R 124).
S. Felicis (S 124, R 123).
Flumalbi (S 125, R 132).
Finalis (S 126, R 130).
Monticuli (S 126 bis, 129, R 121).
*S. Spiritus, Ferrariae (S 127, R 135).
*Mirandulae (S 127, R 107).
*Pontis Lacus scuri (S 127, R 134).
*Adriae (S 127, R 129).
*Nonantulae (S 128, R 130).
*Castrivitri (S 128, R 133).
*Fabrici (S 128, R 123, 208).
*Bastiae (S 128, 193, R 129).
*Montis Falconis (S 129, R 117).
*Maranelli (S 129, R 128).
*Rhodigii (S 130, R 133).

Custodiae Parmensis

Parmae (S 131, R 137).
Cremonae (S 135, R 141).
Burgi S. Domnini (S 141, R 140).
Placentiae (S 144, R 147).
Casalis Maioris (S 152, R 159).
Peregrini (S 154, R 162).
Doxuli (S 155, R 163).
S. Zenonis (S 156, R 164).
Brixilli (S 157).
Sixiae (S 158, R 165).
*Bobbii (S 159, R 158).
*Castrinovi (S 159, R 166).
*Pontis Remoli (S 159, R 161).
*Rocchae d'Olcisio (S 160, R 167).
*Castrifranci (S 160, R 167).
*Burginovi (S 160, R 166).
*Medacianae (S 193, R 166).

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[5] Asterisco signantur loca quae aliquando fuerunt in PP. Conventualium possessione, quamvis non sint de praesenti, ut dicitur in *Provincia Bononiensi*, seu nominata inveniuntur ab antiquis Ordinis scriptoribus.

Custodiae Ravennae

Ravennae (S 161, R 169).
Imolae (S 169, R 198).
Montis Regis (S 171, R 201).
Faventiae (S 172, R 181).
Tausignani (S 179, R 202).
Lugi (S 180, R 194).
Balneocaballi (S 185, R 188).
Brixighellae (S 189, R 204).
Castri Bononiensis (S 190, R 205).
*Gausignani (S 193, R 180).
*Mordani (S 193, R 200).
*Ciattaliae (S 194, R 207).

Custodiae Foroiuliensis nunc Ariminensis

Arimini (S 195, R 215).
Caesenae (S 237, R 296).
Farolivii (S 240, R 310).
Longiani (S 244, R 294).
S. Archangeli (S 245, R 291).
Brictinorii (S 246, R 301).
Castricari (S 247, R 317).
Meldulae (S 248, R 306).
S. Agathae (S 250, R 211).
Veruculi (S 251, R 303).
Montis Scutoli (S 252, R 309).
Planeti (S 253, R 318).
*Foropompilii (S 254, R 305).
*Cerviae (S 193, 255, R 193).
*Fractarum (S 255, R 291).
*Gratiarum, Arimini (S 256, R 214).
*Civitellae (S 256).
*Montis Codruccii (S 256, R 321).
*Cuserculi (S 256).
*Portus Caesen. (S 257, R 321).
*Licciani (S 257).

Agitur ergo de eadem historia, eiusque duplici redactione; textus S se profert ut prima lineamenta operis exhibentem, cum emendationibus, additionibus et transpositionibus horribiliter obnoxius fuerit. Ne quidem conventuum numerus neque eorumdem determinatio ad amussim pari currunt passu.

2. His praelibatis, exsurgit quaestio: Quis est auctor huius operis? Nulla proposita obiectione, hucusque nullum fuit dubium scriptum — ut praediximus — auctorem habuisse Franciscum Ant. Righini. Sed cum in R nulla sit rubrica in initio aut in fine qua illud praelaudato concredatur auctori, in S adest inscriptio operis, quae talis est:

PROVINCIA BONONIENSIS ORDINIS MINORUM CONVENTUALIUM S. FRANCISCI AB ADM. R. P. MRO HIACYNTHO SBARALEA EIUSDEM ORD. DEFINITORE PERPETUO ILLUSTRATA.

Quapropter, admissa identitate operis in utroque MS contenti, non obstantibus differentiis diversae redactioni debitis, auctor textus, quem profert R, censendus est Sbaralea. Si vero ad scripti examen progredimur, nostra evincitur conclusio, eo quod non semel Righini ibi allegatur. En primus textus, ubi de ecclesia S. Crucis, adnexa conventui ariminensi S. Francisci et olim Societatis Crucesignatorum ad usum deputatae:

"Inter praecipuas marmoreas inscriptiones quae in hac aderant ecclesia, omnes et singulas a P. *Francisco Ant. Righini* imolensi, dicti conventu alumno, ante fabricae demolitionem in integrum recollectas et adunatas, quas quisque legere potest in dicto Archivio descriptas, quinque sequentes tantummodo perpetua memoria dignas conspicio (S 202, R 224).

Ulterius simile testimonium occurrit ubi de Sigismundi Malatestae sepulcro in templo S. Francisci, Arimini:

Fuerunt quoque nonnulli qui insulse suspicarunt Sigismundum non intra sepulcrum istud tumulatum extasse, ideoque *P. Franciscus Ant. Righini* huiusmodi conventus alumnus in praesentis historiae beneficium tum istud tum alia Malatestarum monumenta in hoc templo existentia summo testium comitatu instrumentum per notarium rogando adaperiri et invisere voluit. *Hic vero dum* S *breviter refert de inquisitionis exitu,* R *prosequitur:* Actum vero Notarii tale est: . . . A dì 24 agosto 1756, in Rimino nella chiesa delli M.RR.PP. Min. Conventuali alla presenza . . . del P. M^{0} Regente Tondini configlio di detto convento . . . fu fatta aprire da me sottoscritto fr. Francesco Ant. *Righini* configlio di detto convento e Procuratore del medesimo etc. la cassa di Sigismondo . . . (S 212s, R 238).

In his duobus testimoniis textus utriusque codicis pari passu progressus est; in sequenti vero mentio ad inquisitiones a Righini peractas habetur tantum in R:

Supradictae vero arcae marmoreae sequuntur, in quarum prima sequentia verba leguntur: *Basinii Permensis* etc. De hoc poeta nulla mentio habetur praeter quam quod a Wossio dicitur vitam apud Sigismundum Arimin. duxisse . . . (S 209).

Supradictae vero septem arcae marmoreae sequuntur, unaquaeque subtus respectivum fornicem pariter ex marmore secus viam meridiem, versus quas arcas omnes ad praesentis historiae sinceram perfectamque relationem . . . invisere voluit *P. Franciscus Ant. Righini* huiusmodi conventus Procurator, die 16 augusti 1756, actum authenticum de tali aperitione conficiendo, qui talis est: . . . Questo dì 16 agosto 1756 . . . alla presenza . . . di me fr. *Franc. Ant. Righini* . . . fu aperta la prima cassa di marmo posta al lato di questo tempio di S. Francesco in faccia al Seminario, in cui sta scritto *Basini Parmensis poetae* . . . De hoc poeta . . ., *sicut in* S (R 232).

Hucusque quaestio usquequaque clara evasit: *Provincia Bononiensis* tribui non potest Righini, cum ipsius auctoritas in opere proponatur, et ex alio capite, scilicet ex inscriptione cod. S auctor innotuit, cui opus adscribendum erat. Sed huic manifestae conclusioni duo sequentes textus ita contradicunt, ut praedicta in dubium revocare videantur, nam nomini *Righini*, prout habet S, substituitur in R: *ego ipse*, scilicet Righini; et ulterius loco formula *quidam*, ab S adhibita, ab R commutatur in *Ego ipse*, scilicet Righini. Clarius hoc ostendetur expositione textum:

. . . in sinistra tenens. Adaperuit hanc arcam invisendi gratia supracitatus *P. Righini* anno 1756, die 22 iulii, praesentibus plurimis testibus ac notario, qui actum de tali aperitione confecit, ibique reperta fuerunt plurima ossa mortuorum . . . Post duas descriptas capellas . . . (S 219).

Duos errores in *Apologetica* Garuffii circa hoc tumulum lego: unus est circa mortem Isottae, quae non anno 1450, ut ipse testatur contra card. Picolomini, sed circa an. 1470, de quo satis superius; alius autem circa existentiam corporis Isottae, quod revera adest intus tumulum, et non in pavimento capellae, ut videre voluit una cum testibus Religionis *quidam* anno 1756, die 16 augusti.

Arcus vero capellae . . . (S 223s).

. . . in sinistra tenens . . . Hanc quoque arcam ego ipse adaperui invisendi gratia die 22 iulii 1756 ad huiusmodi historiae illustrationem, praesentibus plurimis testibus ac notario, qui actum de tali aperitione confecit tali pacto: . . . questo dì 22 luglio 1756 . . . da me fr. Franc. Ant. Maria *Righini* de Min. Conv. di Rimino, attuale Esattore e Procuratore in esso . . . Post duas desriptas capellas . . . (R 253 ss).

Duos errores in *Apologetica* Garuffi supracitata circa hoc tumulum lego: unus est circa mortem Isottae, quae non anno 1450, ut ipse testatur contra card. Picolomini, sed circa an. 1470, cum superstes fuerit Sigismundo, ut superius ostensum fuit. Alius autem error Garuffii est circa locum, in quo nunc reperitur corpus Isottae, ipse enim testatur tempore Pii PP. V corpus desumptum fuisse ex hac arca et subtus in pavimento capellae tumulatum. Hoc autem minus verum, nam *ego ipse* sinceritatis gratia in beneficium praesentis historiae volui me clarificare; ideo die 16 augusti 1756 una cum testibus et notario conditum fuit sequens actum publicum et authenticum: . . . questo dì 16 agosto 1756 alla presenza del Mº R. P. Mº Caffarelli, P. Mro Tondini, P. Bac. Prospero Marmiroli, tutti dell'Ord. de Min. Conv. di S. Francesco . . . e di me fr. Franc. Ant. Righini . . .'

Arcus vero capellae . . . (R 269s).

Quomodo explicatur haec nominis substitutio? quomodo haec solvitur difficultas? Si examini scripta Righini subiiciuntur, evidentissime elucet intimam exstare relationem inter eius opera certa et scriptum *Provincia Bononiensis*. Prae oculis habemus opus omnium certo certius praestantissimum Righini, cum copia documentorum ibi allegatorum tum elegantia monumentorum affabre calamo coloribusque delineatorum, scilicet *Nuovo ed esatto campione di questo nostro Convento de Minori Conventuali di S. Francesco di questa città di Rimino, da me F. Francesc-Anton-Maria Righini gia nativo da Imola ... e Figlio di questo Convento medesimo, composto, descritto e fedelmente riportato dal Campione antico e d'altri moderni manuscritti del nostro Archivio e dell' Archivio publico della Città, cominciando a qui scriverlo in questo giorno 15 Marzo 1756*[6]. Hic inveniuntur lingua italica et quidem verbotenus duo ultimi textus superexpositi, in quibus Righini se substituit Sbaraleae. Sufficiat hic tantum novissimum exscribere:

> Due errori ben grandi sono da correggere nella più volte riferita lettera prima appologetica del Garuffi ... Il primo errore si è che pretende egli di corregere il Card. Piccolomini, lib. V Comment., ove dice che Isotta sopravisse a Sigismondo ... L'altro errore poi si è ch'egli asserisce che per ... di Pio V, l'anno 1566 il corpo di Isotta fu levato da questo tumulo e sepolto nel pavimento di questa stessa Capella. Io però che nel anno 1756, sotto il 16 agosto, volli chiarirmene alla presenza di più qualificati testimoni e notaio a beneficio della presente storia fece aprire il detto tumolo e vi trovai quanto fu narrato nel rogito che qui s'inserisce a p. 267 (p. 366).

Unde patet identitas textuum duorum, quae eodem quoque tempore composita fuerunt, saltem quoad textus adductos, nam auctor operam dabat secundae redactioni *Provinciae Bononiensis* an. 1762, ut infra demonstrabitur. Eodemque anno Righini operam navabat circa opus *Nuovo ed esatto Campione*, quod licet in titulo habeat: "cominciando a qui scriverlo in questo giorno 15 marzo 1756," tantummodo post octo menses sumpsit exordium, sicut declaratur p. 3: "oggi che siamo il dì 15 nov. 1756 piacemi dar principio al presente libro" et, decursis sex solidis annis, nondum ad finem pertingebat, nam scribitur p. 398: "in quest'anno 1762."

Ex hac tamen duorum operum relatione, nondum solvitur quaestio proposita. Solutio expetenda est alio ex capite, scilicet ex opere Righini inscripto *Memorie istoriche della Provincia di Bologna dell'Ordine de Min. Conv. di S. Francesco addunate e scritte da me Fr.*

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[6] *Forlì, Bibl. Piancastelli* (apud Bibl. Commun.), *Sala P*, *Mss.* 364. Hoc opus valde utiliter adhibitum est a cl. Conr. Ricci, *Il Tempio Malatestiano* (Milano-Roma, 1924), et a G. Gerola, in *Felix Ravenna*, fasc. 19 (1915), 814—24, pro historia ecclesiae S. Ioseph praedicto templo adnexae. Etiam S. Gaddoni, *I Fr. Minori in Imola*, 141, nota 5, illud novit, sed nescimus quo iure dixerit codicem tunc asservari in Arch. S. Francisci, Bononiae; si ita erat, suspicari licet historiam huius pretiosi MS eamdem esse ac illam codicis S, de quo supra.

Francesc. Anton. Maria Righini da Rimino dello stess'Ordin [7]. Opus substantialiter convenit cum duabus redactionibus latinis *Provinciae Bononiensis*, ita ut considerari queat redactio italica eiusdem operis, magis perpolite exhibita quoad historiam conventuum Custodiae Bononiensis et longe locupletior numero documentorum prolatorum. Eiusdem *Praefatio* solvit aenigma propositum de auctore seu potius de auctoribus utriusque praecedentis redactionis, cum scribitur:

> Se tralle antiche memorie attinenti alla storia ed Annali Minoritici che da veneratissimi commandi di chi presciedeva all'Ordine nostro mi fu commesso addunare per ajuto al dottissimo fu P. Mro Gio. Giacinto Sbaraglia nel comporre il Bollario francescano, alcune esser vi fossino di mia somma premura e pieno compiacimento, elleno certamente sono quelle che a questa nostra Provincia di Bologna appartengono . . . Fino perciò da quel tempo in cui egli vivea, insorse in me un vivo desiderio di pubblicare di essa *sotto la di lui direzione* un succinto raguaglio. Ma solamente ora che per somma degnazione di chi attualmente della Minoritica Conventuale Famiglia è vigilantissimo Capo, mi fu concesso vedere alcuni archivi de più segnati della medesima Provincia, onde tessere di ciascun convento o presente o soppresso una breve istoria (p. 1).

Ergo Righini primo animum induxit ad historiam suae Provinciae texendam, notitias collegit, ipseque exaravit opus, cum scriptura trium MSS eadem nobis videtur, eadem ac scriptura in *Nuovo ed esatto campione*, sed semper sensu ab eodem Righini declarato, scilicet sub directione Sbaraleae. Id plene explicatur si ad memoriam revocantur officia quibus erga Sbaraleam functus est Righini, de seipso in quadam epistola circa an. 1777 ad Ministum gen. eiusque Definitorium testans:

> Li eruditissimi scritti del fù celebre uomo P. Mro Giacinto Maria Sbaraglia, già mio Maestro nella storia fino da diciotto e più anni in quà, allorchè ebbi l'onore di servirlo nella edizione del Bollario Francescano, mi somministravano tale materia, che io fin d'allora sotto dettatura del sudo eruditissimo Maestro erami proposto di confutare l'opera del P. Decimo Min. Oss. . . :[8]

Quamnam vero partem egerit Sbaralea in opere *Provincia Bononiensis* conficiendo non satis patet: scripsitne Righini — ut suis utar verbis — *sotto dettatura* docti magistri aut eiusdem fruitus est consilio? Non videtur probabile Sbaraleae collaborationem exstitisse tantummodo in alta — ut aiunt — directione, si ipse Righini operi, saltem in prima redactione, magistri nomen praefixerit, proprio neglecto. Nostrae opinioni non parum favet *Series Ministrorum Provinciae Bononiensis*, quae ut septimum exstat caput in utraque redactione (S 261—77, R 324—41). Scimus Sbaraleam seriem Ministrorum Provinciae Bononiensis texuisse, utpote scriptum distinctum et modo asservatum in Archivio O. M. Conv., Romae, ad XII Apostolos, cod. c. 90. Ex fragmentis editis[9] innuitur identitas utriusque seriei. Eadem identitas conspicitur quoque inter alium scriptum Sbaraleae, scilicet *Supplementum ad "Annales Waddingi"* et Additiones ad nostram *Provincia Bononiensis*, de quibus posset quis dubium proponere illas auctorem habuisse Sbaraleam. Textus occurrit quando agitur de Montepaulo, pro Forum Livii, ubi S. Antonius Patavinus se recessit:

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[7] *Rimini, Bibl. Gambalunga*, inter opera Righini t. XII; pp. numeratae usque ad 124, scil. usque ad peractam descriptionem conventuum Custodiae bononiensis; mm. 212 × 220; ceterae vero paginae numero carent et alia manu scriptae sunt, mm. 295 × 220. Hoc quoque opere usus est C. Ricci, l. c., 200, nota 4.

[8] Edidit L. Oliger, O. F. M., *Della vita e degli scritti del P. Flam. Annibali da Latera, O. F. M. (1733—1813)*, in *Arch. Franc. Hist.*, VII (1914), 613; Righini Urbem accitus est ut adiutor Sbaraleae; cf. Sparacio, *Gli studi di storia*, 101.

> Magis credendum est hoc loco Marco Ulissiponensi Minoritae, qui ex antiquis monumentis Ordinis rem scire potuit, quam Leandro Alberto O. P. bononiensi, qui ex prava partialique vulgi opinione scripsit S. Antonium Patavinum fuisse in Monte S. Pauli mille passus extra Bononiam, cum degerit in Monte Pauli 8000 passus supra Forolivium . . . ubi adhuc cernitur parva sacra aedes . . . quo et ego puer a parentibus ductus sum, veneratusque et cellam quam ipse Sanctus incoluit . . . (*In S. Antonii Patav. vitam P. M. H. Sbaralea, M. C., adnotationes*, in *Micellanea Franc.*, XXXI (1931), 138).

> Magis credendum est Marco Ulissiponensi Minoritae, qui ex antiquis monumentis Ordinis rem scire potuit, quam Leandro Alberto O. P. bononiensi, qui ex prava partialique vulgi opinione scripsit S. Antonium Patavinum fuisse in Monte S. Pauli mille passus extra Bononiam, cum degerit in Monte Pauli 8000 supra Forolivium . . . ubi adhuc cernitur aedicula . . . quo et ego an. 1758 fui, cellam hanc veneraturus, ibique sacrum feci cum cantu . . . (*Provincia Bononiensis:* Additiones, cod. R 242s).

Quapropter, nisi haec quoque duo scripta, scilicet *Series Ministrorum* et *Supplementum ad "Annales Waddingi"*, aestimari velint confecta potiori labore Righini et clariori nomini Sbaraleae concredita, innui potest et Sbaraleam operi exarando manum porrexerit adiutricem et contulisse quae sua scientia dictare valebat, ipsaque manuscripta litterarii sui scrinii suppeditasse. Rebus sic stantibus, conclusio eruitur quod si non soli Sbaraleae non est tribuenda *Provincia Bononiensis*, cum nobis compertum sit non levem laborem in opere conficiendo Righini aggressum esse, item neque soli Righini, si ipse explicite, saltem in prima redactione, in operis inscriptione tantummodo Sbaraleae nomen adduxerit. Unde iure meritoque utrique, magistro et discipulo, opus hinc tribuendum putamus.

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[9] D. Sparacio, *Series Min. Provincialium qui perantiquam Bononiae Prov. Ord. Min. Conv. inde ab initio administrarunt*, in *Comment. Ord. Fr. Min. S. Francisci Conv.*, XIV (1924), 98ss.

De *tempore compositionis* utriusque redactionis edocemur per explicitas declarationes. Postremae parti S operam dabat an. 1760: "unde anno proxime elapso 1759" (S 202); ulterius: "Nuper vero hoc anno currenti 1760" (S 230). Notitiae de sequentibus annis 1762—1763, hic et illic occurrentes, debentur aliae manui aut saltem posterius additae sunt (cf. S 236, 243, 247). Paulo post redactus est et textus R. Quamvis immutata ibi maneant relata verba: "anno proxime elapso 1759" (R 224), evincitur priori parti auctorem operam dedisse iam an. 1761 (R 69), posteriori vero an. 1762 (R 290, 316—8). De notitiis circa posteriores annos 1763 et 1766 (cf. p. 187, 189), item prout dictum est nuper de cod. S.

II. BULLAE INEDITAE SAEC. XIII—XV IN OPERE CONTENTAE

Huius historiae et praesertim Additionum cod. R momentum fulcitur prolatorum documentorum copia. Seorsum ex his seliguntur nunc nonnullae bullae ineditae saec. XIII—XV, scilicet usque ad Sixtum IV, ad quem pertingit *Bullarium Franciscanum* (= BF) a Sbaralea — Eubel — Hüntemann — Pou y Marti hucusque editum. Ex sequentibus bullis binas (nn. 16—17), nunc deperditas, cognovit revera Alva y Astorga in suo *Indiculo*, sed regestum quod ipse profert, ita imperfectum est quod neque conventus de quo in bulla agitur, recte indicetur. Alia vero (n. 11) edita est, sed *Bullarii* editorem effugit. Quarumdam bullarum textum originalem in Archivo Status, Bononiae, deteximus. Prorsus supervacaneum censemus omnium bullarum textum tradere, cum nonnullarum regestum sufficiat.

1. 1 oct. 1528. Alexander IV episcopo Cremonensi mandat quatenus nullius religionis monasterium seu oratorium aut claustrum religiosorum vel secularium personarum aedificari aut ecclesiam iam aedificatam inibi in religiosum locum vel regularem domum transferre permittat infra spatium 300 cannarum circa omnes fines loco Fratrum Minorum Cremon. contiguos et vicinos.

Paci et tranquillitati . . . Datum Viterbii, Kal. octobris . . . anno IV.

R 372, exscripta ex exemplari cum plumbo; cf. bullae eiusdem tenoris eiusdemque Papae in BF II, 142, n. 212; 405, n. 576. De primaeva Fratrum habitatione Cremonae, cf. Flaminio da Parma, *Memorie istoriche . . . dell'Osserv. e Riform. Provincia di Bologna*, I, Bologna 1760, 321—5.

2. 20 iunii 1268. Clemens IV circa controversiam Hugolinum de Senne inter et Fratres Min. Bonon. de bonis a Barufaldino relictis.

Clemens episcopus . . . dilecto filio Potestati Bonon. . . . Olim inter nobilem virum Hugolinum de Senne nepotem dilecti filii nostri O[ctaviani de Ubaldinis] S. Mariae in via lata diac. card. ex parte una et Fratres Ord. Min. Bonon. et quosdam alios religiosos aliasque personas ex altera super quibusdam bonis quae fuerunt q. Barufaldini civis Bonon. ac q. Bolognisiae neptis eius et Guidonis nati dicti Barufaldini ex altera, materia quaestionis tandem cum super hoc inter partes coram te fuisset aliquando litigatum, idem h[ugolinus] omne ius et actionem quae in praedictis bonis competebant eidem, cessit Cardinali praedicto, Nosque postmodum negotium ipsum ad examen nostrum duximus revocandum; sed sicut accepimus, aliqua post huiusmodi revocationem fuerunt circa dictum negotium innovata, super quo tua circumspectio dicitur consulte ac utiliter providisse, intendentes igitur eamdem quaestionem fine debito — dante Domino — terminare ac paci partium providere, volumus et discretioni tuae per apostolica scripta mandamus quatenus eidem negotio supersedere procures vel aliquam facias vel fieri permittas in hoc de cetero sanitatem(?) mandatum apostolicum in hac parte totaliter impleturus quod partes auctoritatis non oporteat circa id aliter interponi. Datum Viterbii, XII Kal. iulii . . . anno IV.

R 422, ubi praeficitur regestum: "Bologna 134 . . . Clemente VI. Copia; certa lite col conv. di Bologna e gli eredi di Ugolino da Siena sopra alcuni beni di Barufaldino etc.". Quod bulla Clementi VI abiudicanda sit, videtur ex loco emissionis, nam Clemens VI sicut et Clemens V tunc Avenione versabantur, dum Clemens IV illis diebus revera Viterbi morabatur. Praeterea in documentis bononiensibus sub pontificatu Clementis IV, scil. an. 1267, mentio habetur *Guidonis d. Barufaldini* et in documenta an. 1286 dicitur conventum O. F. M. Calderariae constructum fuisse *per d. Berofaldinum de Geremiensibus et d. Bolnisiam eius neptem*, ed. a Bonav. Giordani, in *Analecta Franciscana*, IX, Ad Claras Aquas 1927, 34, 133; in *Libro introituum et expensarum* conventus bonon. signatur sub die 4 iulii 1282: "Pro d. Barufaldino et d. Bolnisia pro una piatanza lib. 51" (Bononiae, Bibl. Commun. Archigymnasii, cod. B. 490, p. 20). Quique Fratrum benefactores sepulturam habuerunt in coemeterio eorumdem Fratrum; cf. L. Frati, *Libro delle sepolture nelle chiesa di S. Francesco in Bologna*, in *Miscellanea Francescana*, III (1888), 104b. De card. Octaviano de Ubaldinis 1273 cf. C. Eubel, *Hierarchia cath. medii aevi*, ed. 2, I, Monasterii 1913, 52.

3. 25 ian. 1321. Ioannes XXII Ministro Fratrum Ord. Min. in Bonon. et aliis partibus circumvicinis deputato annuit ut licentiam impertiatur duobus fratribus presbyteris Ord. Min. commorandi in loco Fratrum Min. Ferrarien. et administrandi laicis, religiosis dicti Ordinis ad ipsius loci custodiam deputatis ac sororibus monasteriorum et familiaribus ipsarum cum eis continue morantibus ecclesiastica sacramenta, non obstantibus sententiis et prohibitionibus et poenis spiritualibus et temporalibus quibuscumque per ipsum Pontificem vel per alios sua auctoritate factis.

Tuae merita devotionis exposcunt ... Datum Avenione, VIII Kal. febr. ... anno V.

Arch. Status Bononiae, *S. Francesco,* Campione Rosso, V 353/5096, n. 3. Perg. orig., mm. 400 × 480; in plica *R^{ta} Anton.*, cum chorda et plumbo pendentibus, in quo plumbo legitur: *Iohannes PP. XXII.* Quapropter nescimus quare R 423 bullae praefixerit notam: *Ioannes XXII alias XXIII*, eo quod Ioannes XXIII tunc temporis Constantiae versabatur. Fatemur hoc documentum connecti eventibus politicis ac religiosis illius anni Ferrariae, de quibus disseruit Fr. Bock, *Der Este-Prozeß von 1321*, in *Arch. Fratrum Praed.*, VII (1937), 41—111; cf. G. Picconi, *Serie cron.-biogr. dei ministri e vicari prov. della Minor. Prov. di Bologna*, Parma 1908, 71; BF V, 281, n. 559.

4. 26 iunii 1376. Gregorius XI auxilium postulat Fratribus Min. Bonon. occasione cuiusdam rebellionis in illa civitate.

Gregorius episcopus ... Guardiano et conventui loci Fratrum Min. Bonon. ... Scribimus populo bononiensi secundum tenorem praesentibus interclusum, ideoque nos hortamur mandantes quatenus quod si litterae nostrae dicti tenoris ad manus vestras pervenerint, eas Regentibus seu potius seducentibus civitatem bononiensem praesentare curetis. Et quia dubitamus quod dictae litterae, sicut nostrae intentionis exsistit, non legantur in Consilio generali civitatis eiusdem, de dicto tenore faciatis multas copias et inter cives bononienses ut ad omnium notitiam veniant, prout cautius poteritis, seminetis. Datum apud Villam novam, Avenionensis diocesis, VI Kal. iulii ... anno VI.

Subscriptio: *P. Bermandi.*

R 422, ubi dubium proponitur de huius documenti authentia: "Pare non sia autentica." Eapropter quaesivimus et invenimus *originale,* notas authenticitatis in se ferens, in Arch. Status Bononiae, *S. Francesco,* Campione Rosso, T 354 / 5097, n. 58. Perg., mm. 500 × 390, in dorso: *Dilectis filiis Guardiano et conventus loci fr. Min. Bon.* Guardianus conventus Bonon. in capitulo Lugi celebrato die 2 maii 1375 electus fuit — sed ignoramus utrum necne confirmatus fuerit anno sequenti — fr. Franciscus de Signorellis (*Bononiae, Bibl. Commun. Archigymnasii, cod.* B. 491, p. 97), de quo cf. L. Frati, *Necrologio francescano di fr. Geremia da Bologna Min. Conv. del sec. XVI*, in *Miscellanea Francescana,* V (1890), 63b. Nescimus qua ratione dubium de Brevis authenticitate proponi potuerit, eo vel magis quia haud facile sit cogitare quis et quo fine falsum huiusmodi adducere quiverit. Rerum adiuncta, de quibus in Brevi fit mentio, exposita invenies apud O. Vancini, *La rivolta dei Bolognesi al governo dei Vicari della Chiesa (1376—1377) (Bibl. Storica Bolognese,* XI), Bologna 1906, 16ss; cf. G. Mollat, *Les Papes d'Avignon (1305—1378)*, éd. 8, Paris 1930, 162—4; J. Glénisson, *Les origines de la revolte de l'état pontifical en 1375*, in *Rivista di storia della Chiesa in Italia,* V (1951), 145ss.

5. 22 iulii 1373. Gregorius XI erigendi octo loca in partibus Romaniae facultatem concedit.

Gregorius XI . . . Ministro Romaniae Ord. Fratrum Min. Inter ceteros Ordines . . . Sane tua petitio nobis nuper exhibita continebat quod in Romaniae partibus tuo officio seu ministerio deputatis in pluribus terris et loco fideles catholici cum schismaticis pariter commorantes et quod ipsi schismatici multo plures sunt quam catholici praelibati, quodque nonnulli fideles partium earumdem ecclesias et loca cum officinis congruis pro conventibus fratrum dicti Ordinis, qui tam fidelibus quam schismaticis praedicent verbum Dei et divina celebrent, in locis praedictis construere et aedificare desiderant, si super hoc apostolicae Sedis licentia concedatur, quare nobis humiliter supplicasti . . . Tibi aliqua loca nova pro eisdem conventibus in praedictis partibus recipiendi et aedificari faciendi licentiam tribuere dignaremur, Nos igitur . . . Tibi in partibus seu terris praedictis in quibuscumque civitatibus seu dioecesibus octo loca recipiendi ac in singulis eorum construendi seu construi faciendi in locis tam congruis et honestis singulas ecclesias cum singulis campanilis, campanis, cimiteriis et aliis officinis necessariis . . . Nulli ergo . . . Datum apud Villam novam Avenion. dioecesis, XI Kal. augusti . . . anno III.

R 429s; cf. eiusdem Gregorii XI bulla (1 iul. 1373) huius tenoris pro Vicario et fratribus Vicariae Bosnensis, BF VI, 509, n. 1273, ubi invenies quae a nobis omissa sunt.

6. 22 martii 1390. Bonifatius IX visitantibus capellam beati Ludovici conf. in ecclesia fratrum Min. Cremonae, in eiusdem festo, annuatim duorum annorum et totidem quadragenarum indulgentiam largitur.

Splendor paternae gloriae . . . Datum Romae apud S. Petrum, XI Kal. aprilis . . . anno I.

R 379s.

7. 22 apr. 1412. Ioannis XXIII, ut capella in honore et sub vocabulo B. M. V., SS. Iacobi apost. et Antonii abb. in ecclesia S. Francisci Ferrariae Ord. Fratrum Min., per q. Marchionem Estensem fundata, congruis honoribus frequentetur, eamdem visitantibus in festivitate Annuntiationis B. M. V. a primis usque ad II vesperas inclusive, annuatim illam indulgentiam concedit, quam visitantes singulis Kal. augusti ecclesiam S. Mariae in Portiuncula, alias de Angelis, Assisiensis dioecesis, auctoritate apostolica annuatim consequuntur.

Cum praecelsa meritorum insignia . . . Cupientes igitur . . . Datum Romae apud S. Petrum, VI Kal. maii . . . anno II.

S 84 bis; R 77s, ex exemplo in arch. conv. Ferrariensis. L. N. Cittadella, *Memorie storiche-monumentali-artistiche del tempio di S. Francesco in Ferrara*, Ferrara 1860, 9, huius Bullae exsistentiam cognovit, eamque dixit die 26 apr. 1411 datam. Ab ipso Sbaralea, S 87, edocemur de huius capellae historia. Ut in ipsa bulla vix adumbratur, Albertus V Estensis an. 1393 cum mille librarum annuali dote eam erexit, primumque lapidem in fundamentis eiecit, exstante architecto famoso Bartholino Ploto novariensi. Cf. A. Mercati, *Complementi al "Bullarium Franciscanum"*, in *Arch. Franc. Hist.*, XLIII (1950), 166, 335 ss (hic de huiusmodi indulgentiis).

8. 1 sept. 1419. Martinus V determinat de hereditate in favorem fr. Ioannis Georgii de Cultellinis relicta.

Martinus . . . episcopo Bonon. . . . Humilibus supplicum . . . Exhibita siquidem nobis nuper pro parte dilectorum filiorum conventus et Ioannis q. Georgii ser Laurentii de Cultellinis, laici nati fratris domus Bonon. Ord. fratrum Minorum, petitio continebat quod olim dictus Georgius condens de bonis sibi a Deo collatis in sua ultima voluntate testamentum ac teneritati complexionis dicti Ioannis, qui etiam tunc eiusdem Ordinis erat et per plures annos theologiae exstitit professor, eiusque indigentiae pie consulere cupiens, iure institutionis super huiusmodi bonis eidem Ioanni quoad viveret pro suis sublevandis necessitatibus, summam 12 ducatorum auri singulis annis pro una in Nativitatis et alia medietatibus in Resurrectionis D. N. I. C. festivitatibus per certos tunc expressos praefati Georgii heredes ipsi Ioanni efficaciter persolvendos reliquit, hac conditione adiecta . . . Praefato tamen testatore vita functo, heredes ipsi pro maiori parte primo et deinde dilectae in Christo filiae Catherina et

Francisca q. Gregorii de Vulterris, natae mulieres bononienses, ad quas huiusmodi bona pervenisse noscuntur, aliquandiu cessarunt, prout etiam dictae mulieres ad praesens cessant a solutione summae memoratae, propter quod inter dilectum filium syndicum per dilectos filios Commune nostrae civitatis Bonon. pro petendis et exigendis domui sive conventui praedicto et illius fratribus relictis iuxta formam litterarum . . . deputatum nomine domus seu conventus et Ioannis praedictorum ac easdem mulieres in cura saeculari dictae civitatis materia fuit quaestionis exorta. Cum autem sicut eadem petitio subiungebat, hominum caritate plurimum modernis refrigescente temporibus, eleemosynae aliaque caritativa subsidia huiusmodi conventui pro eorum substentatione solito remissius ministrentur, ipse Ioannes, qui senio deditus et infirmitatum diversarum, prementibus incommodis corporis, virium destitutione laborat, de dicta domo vitae necessaria recipiat nullatenus condecenter, Nos igitur super his eorumdem domus, conventus et Ioannis statui ac indemnitatibus opportune providere volentes, fraternitati tuae . . . mandamus quatenus si est ita, eamdem summam . . . tam pro tempore praeterito quam etiam inantea, ipso Ioanne in humanis agente, per syndicos civitatis eiusdem, qui de illa, utpote eleemosynario suffragio, necessitatibus et indigentiae domus, conventus et Ioannis praedictorum providere habeant, exigi et recipi ac pro ea in iudicio et extra experiri, singula quoque alia pro praemissis . . . auctoritate nostra decernas . . . Non obstantibus . . . Datum Florentiae, Kal. sept. . . . anno II.

Arch. Status Bononiae, *S. Francesco*, Campione Rosso, V 353/5096, n. 6. Perg. orig., mm. 480 × 380, cum chorda et plumbo pendentibus; in plica: *R*^{ta} *gratis, Ambrosius;* in dorso: *Facultas procedendi contra quondam de Coltellinis in favorem fr. Ioannis ord. min. conv.* Ex hoc originali exscripsit R 423s. Huius bullae textum retulimus, quia ex eius testimonio eruuntur quaedam conclusiones circa mag. Ioannem Georgii de Cultellinis, clarum S. Theol. doctorem et concionatorem tunc famosum. G. Picconi, *Serie cron.-biogr. dei ministri*, 96, et B. Pergamo, in docta dissertatione *I Francescani alla Facoltà teol. di Bologna (1364—1500)*, in *Arch. Franc. Hist.*, XXVII (1934), 27—9, affirmarunt fr. Ioannem Georgii de Cultellinis evectum fuisse ad episcopatum Civitatis Castellanae an. 1414, indeque decessisse an. 1432. Fundamentum huius assertionis exstat bulla Ioannis XXIII, diei 19 sept. 1414: *Dilecto filio Ioanni Georgii electo Civitatis Castell.*: . . . ad te ord. fr. Min. professorem . . . convertimus oculos mentis nostrae . . . de persona tua . . . dictae ecclesiae providemus teque illi praeficimus in episcopum et pastorem *etc.* Datum Bononiae" BF VII, 485, n. 1344. Quidquid sit de hac episcopali electione, e bulla Martini V clare eruitur an. 1419 eumdem fr. Ioannem Bononiae, in conventu S. Francisci, adhuc morari, senio utique deditum, infirmitatum incommodis laborantem, proinde multiplici auxilio indigentem, quin ulla mentio fiat de episcopali dignitate. Praeterea sermo ab eodem habitus Bononiae an. 1416, ergo binos annos post praesumptum episcopatum, dicitur simpliciter "recitatus per mag. Ioannem de Cultellinis de Bononia, ord. Min. S. Theol. professorem"; cf. A. López, *Descriptio codd. franc. Bibl. Riccardianae Florent.*, in *Arch. Franc. Hist.*, III (1910), 339. Item in catalogo praedicatorum ecclesiae bononiensis S. Petronii eodem anno 1416: "Fra Giovanni de Coltellini dell'Ord. dei Fr. Minori"; Franc. Filippini, *S. Petronio vesc. di Bologna: Storia e leggenda*, Bologna 1948, 125. Assertio praedicta refelli potest praesertim auxilio duorum documentorum, quorum prius, asservatum in Arch. Status Bononiae, *S. Francesco*, Campione Rosso, *K* 344/5087, n. 63, relatae bullae Martini V connectitur, quatenus quae per illam mandata sunt, ad exsecutionem pergunt. Documentum referimus sub regesti forma:

1421, die 2 mensis maii. Domina Francisca et d. Caterina sorores et filiae olim Gregorii q. Gregorii de Vulterris, heredes in effectu olim Francisci q. Georgii dudum ser Laurentii de Cultelinis civis et mercatoris bonon., mediantibus personis Bartholomaei, Petronii, Blasii et Francisci fratrum et ipsius q. Georgii filiorum legitimorum et naturalium atque heredum universalium per dictum eorum patrem institutorum et sibi invicem substitutorum ex testamento dicti q. Georgii rogato per Gasparrum Francisci de Mulittis not. in 1396, de mense sept., . . . in praesentia rev. in Christo p. et d. Nicolai episc. bonon. et principis ac famosi decretorum doctoris d. Ioannis Andreae de Caldarinis doctoris bonon., . . . petierunt in earum curatorem constituti Benedictum q. Bartholomaei de la Ratta not. bonon., ibidem praesentem, super contractu et instrumento transactionis fiendae per et inter ipsas adultas ex una et legum doctorem d. Gasparum de Ruffinis, ser Stephanum q. ser Iacobi de Ghisilardis et Arpmellum de Folea ambos not. et cives bonon., syndicos et procuratores Camerae S. R. Ecclesiae et d. n. PP. Martini V, necnon communis bonon. ad commodum et utilitatem fratrum Minorum loci et ecclesiae S. Francisci, mandatum habentes scriptum et rogatum per Nicolaum Sancti not. bonon. de anno proxime elapso, occasione cuiusdam legati per dictum q. Georgium in dicto testamento facti mag. *Ioanni de Cultillinis* eius filio legitimo et naturali, in sacra pagina professore, *tunc et ante et ab inde citra continue et de praesenti* professo et dedicato in conventu dictorum fratrum Minorum S. Francisci praedicti de Bononia, de ducatis duodecim auri anno quolibet eidem mag. Ioanni de bonis dicti testatoris persolvendis pro ipsius mag. Ioannis necessitatibus donec naturaliter vixerit . . . Acta fuerunt praedicta Bononiae in episcopali palatio pp. ven. viris d.Luca de Cantarellis de Regio decretorum doctore, et d.Laurentio de Adria licentiato in iure canonico, ambobus d.Nicolai episc. bonon. in spiritualibus et temporalibus vicariis generalibus, Bernardino q. Francisci de Mulitis, Christophoro q. Ioannis de Manzolis, Philippo q. Staphani de Formaglinis et Marco f. Raynaldi de Formaglinis, omnibus civibus et notariis bonon., . . . et Gasparo q. Ioannis Lucardini Feracerio cive bonon., capellae S. Martini de Cazanemicis Pizolis et cognato dictarum adultarum, testibus. — Ego Philippus mag. Iacobi de Cristianis civis bonon., imper., communis bonon. et episc. curiae auctoritate notarius.

Nihil clarius inveniri posset: usque ad an. 1421 mag. Ioannes continue deguit et tunc degebat in conventu bononiensi S. Francisci, ubi post sex annos guardianatus quoque munere functus est. En secundum documentum: "1427, oct.: Ego fr. Ioannes Georgii, s. paginae professor, factus fui guardianus conventus Bononiae in capitulo provinciali celebrato in festo S. Francisci in conventu Ferrariae" (Bononiae, Bibl. Commun. Archigymnasii, cod. B. 491, p. 223). Si ex una parte, scilicet pro abnuenda consecratione episcopali, haec tutissima documenta adduci possunt, ex altera vero incertitudo deprenditur apud historicos in texenda serie episcoporum Civitatis Castellanae tunc temporis, nam dum F. Ughelli, *Italia sacra*, ed. 2, II, Venitiis 1717, 599, nomen profert fr. Georgii, ord. Minorum, P. B. Gams, *Series episc. eccl. catholicae*, Ratisbonae 1873, 685, et C. Eubel, *Hierarchia*, I, 197; II, 145, proferunt illud fr. Gregorii ord. Minorum. Solus Wadding, *Annales Minorum*, a. 1414, n. 8 (Ad Claras Aquas, IX, 454), meminit fr. Ioannem Georgium inter episcopos ex Ordine creatos a Ioanne XXIII. Tunc, quid de bulla Ioannis XXIII, qua mag. Ioannes episcopus renuntiatus est illius civitatis? Duae hypotheses probabiliores menti occurrunt: aut mag. Ioannes sponte oblatae dignitati abrenunciavit, aut Ioannes XXIII bullam retraxit ante episcopalem consecrationem. Obliviscendum non est eumdem mag. Ioannem, eo quod concilio Pisano interfuerat, antea a Gregorio XII a ministeriatus officio Provinciae bononiensis amotum fuisse, dein, die 7 iulii 1409, eidem muneri restitutum per Alexandrum V (BF VII, 410, n. 1173; Pergamo, l. c., 27s). Nihil ergo mirum si ille de Cultellinis in serie episcoporum e bononiensi Provincia delectorum, quae exhibetur in eodem opere *Provincia Bononiensis* (S 5), frustra quaeratur. — Ex dictis alia eruitur conclusio de eius anno emortuali. Mag. Ioannes non decessit anno 1432, qua praesumptus episcopus Civitatis Castellanae, neque anno 1421, ut habetur apud Sbaraleam, *Supplementum . . . ad script. trium Ord. S. Francisci*, II, Romae 1921, 54, sed anno 1437, circa mensem octobrem, ut conicimus ex *Libro introituum et expensarum* conventus bononiensis S. Francisci, nam ibi habetur sub die 8 oct. 1437: "Assignavit vicarius conventus (fr. Andreas de Sicilia) pro una pellicia magna quondam mag. Ioannis Georgii . . ."

(cit. cod. Archigymnasii, B. 491, p. 240); sub die 12 oct.: "pro sepultura mag. Ioannis quando sepultus est" (p. 282); et sub die 21 febr. 1439: "recipit conventus de eleemosyna bonae memoriae mag. Ioannis Georgii" (p. 243).

9. 20 maii 1432. Nicolaus V episcopo Cremonensi eiusque in spiritualibus Vicario gen. mandat quatenus post debitam inquisitionem massarii Societatis B. Mariae, ministri consortii S. Spiritus, *Fratris Facii* nuncupati, ac consules collegii notariorum Cremon., Antonius de Sdentiis, Petrus de Aquanello, Petra relicta q. Antonii de Cavalcabobus militis, vidua Francisci Zeneuria et Isabella eiusdem q. militis nata et quidam alii clerici et laici in civitate et dioecesi Cremon. compellantur sub poenis dare fratribus S. Francisci Cremon. Ord. Min. nonnulla immobilia in civitate et dioecesi praedictis consistentia, mobiliaque bona per q. Antonium de Cavalcabobus militem in eius voluntate ultima relicta ac pro erectione cuiusdam cappellae in ecclesia eorum Fratrum Min. fundanda.

Conquesti sunt nobis Guardianus . . . Datum Romae apud S. Petrum... 1452 XIII Kal. iunii . . . anno VI.

R 376, exscripta ex originali.

10. 12 dec. 1448. Nicolaus V conventum S. Francisci, Ferrariae, eximit a solutione quartae funerariae.

Nicolaus PP. V ven. fratri Francisco episcopo Ferrariensi . . . Exponi fecerunt fratres ord. Minorum in tua dioecesi consistentes quod tuus in spiritualibus vicarius molestat eos et cogit ad solvendum quartas relictorum, quas nunquam ante solverunt. Idcirco volentes ut nihil contra eos innovetur, mandamus tibi ut si a triginta annis huiusmodi quartas non solverunt, nihil contra eos innoves aut innovari permittas, sed antiquam et hactenus observatam consuetudinem sequaris. Datum Romae apud S. Petrum, sub anulo Piscatoris die XII mensis decembris . . anno II.

Subscriptio: *Poggius.*

S 88 bis, cum nota: "Exstat in archivo S. Francisci inter scripturas conventus cum parocho S. Mariae de Bucco, d. Io. de Perusinis Pisaurensi, cuius successoribus dumtaxat solvit conventus quotannis quartam . . . Exstat enim conventus in dicta parochia". In alia bulla ipsius Nicolai V, data die 18 iulii 1452 ac de eadem controversia agente, mentio invenitur huius bullae; cf. BF n. s. III, 801s, n. 1608.

11. Anno 1448. Nicolaus V, qui per praecedentes litteras facultatem fecit Sigismundo Pandulpho de Malatestis de eius bonis quamdam

capellam in honorem S. Sigismundi in civitate Ariminensi, partim in prophano et partim in sacro locis ecclesiae domus S. Francisci ord. Fr. Min. fundandi illamque ex tunc 5000 florenis auri de Camera dotandi, statuit quod eadem capella alicui personae ecclesiasticae seu religioso loco nullatenus sit subiecta ac ex fundatione et dotatione praedictis alicui heredi nullum ius patronatus quaesitum sit, quodque cappella a solutione quartae immunis exsistat.

Nicolaus . . . dilecto filio nobili viro Sigismundo Pandulpho de Malatestis civitati nostrae Arimin. . . . Ad ea ex apostolicae servitutis . . . Dudum siquidem per Nos accepto . . . Datum Romae apud S. Petrum, anno Incarnat. domin. 1448 . . . anno II.

R 243; S 214 nonnisi regestum profert; ed. a C. Ricci, *Il Tempio Malatestiano*, 585, ex orig. in "Arch. stor. Com. di Rimini: *Bolle pontificie*, ad ann."; praecedens quoque bulla, de qua hic mentio fit, desideratur in BF, ubi tamen habetur alia an. 1452 (BF n. s. I, 785s, n. 1575) indulgentias concedens visitantibus eamdem capellam, pro cuius historia cf. R et S, l. c., et Ricci, ibid., 365—409 et passim; A. Pica, *La chiesa di S. Francesco in Rimini*, in *L' Italia sacra*, I (1930), fasc. 12, p. 621—806; etc.

12. 21 maii 1455. Callistus III facultatem facit Francisco de Padua episc. Ferrariensi reducendi legatum 100 ducatorum annuatim in pias causas persolvendorum vi testamenti q. Alberti de Bonacorsis, ad instantiam duorum testatoris filiorum, eo quod unus ex eis, scilicet Antonius Maria, octo filiis gravatus sit, alter vero, scilicet Iacobus Maria, decem filios habeat, quorum una nubilis est et duo tantopere gravati sunt propter alia gravamina in dicto testamento apposita, quod non possunt legato satisfacere, aliter emendicare cogerentur. Legatum 100 ducatorum reducitur ad 100 libras, quarum 60 persolvendae sunt annuatim fratribus conventus S Francisci Ferrariae et 5 rectori ecclesiae S. Gregorii in eadem civitate etc.

Apostolicae Sedis providentia . . . Datum Romae apud S. Petrum anno 1455, XII Kal. iunii . . . anno I.

R 358s.

13. 6 iulii 1459. Pius praeposito ecclesiae S. Petri in Curte, Cremonensis dioecesis, mandat quatenus malitiose occultantes et detinentes bona immobilia et mobilia, guardiano et fratribus conventus Cremonensis ord. fr. min. pro reparatione et conservatione eorumdem domus et ecclesiae in eleemosynam relicta, ad restitutionem sub poenis compellat.

Significaverunt nobis . . . Datum Mantuae anno . . . 1459, pridie Nonas iulii . . . anno I.

R 376, ex originali cum plumbo.

14. 3 apr. 1464. Pius II facultatem concedit fr. Francisco de Saona circa abbatissarum monasteriorum O. S. C. institutionem.

Pius II. Dilecte fili . . . Per alias litteras nostras in forma Brevis commisimus devotioni tuae ac mandavimus ut visitationi et reformationi conventuum, locorum ac monasteriorum Ordinis S. Clarae ac praesertim provinciae Tusciae dilibenter intenderes, quod te fecisse accepimus ac nobis admodum placet. Cum autem intellexerimus fide digna relatione interdum contingere ut pro reformatione aliquorum monasteriorum huiusmodi propter defectum personarum idonearum abbatissatus officio abbatissam externam eligere opus sit, nec tamen moniales ipsae ad quas iuxta statuta ipsarum electio novae abbatissae spectare videtur, extraneam eligere velint, nos bono regimini ac gubernationi dictorum monasteriorum providere volentes, devotioni tuae, de cuius integritate plurimum confidimus, facultatem et potestatem concedimus per praesentes ut in eventum defectus personae ideoneae abbatissatui alicuius dictorum monasteriorum possis et valeas externem abbatissam in eis et quolibet eorum iuxta conscientiam tuam instituere et deputare auctoritate apostolica . . . Datum Senis, sub anulo Piscatoris, die 3 apr. 1464 . . . anno VI.

Arch. Status Bononiae, *S. Francesco*, Campione Rosso, M 346/5089, n. 91. Perg. orig., mm. 330 × 30, in dorso: *Dilecto filio Franc. de Saona vicario gen. ord. min.*, cuius Brevis in R 431 traditur tantummodo regestum. De hac materia cf. B. Bughetti, *Acta officialia de regimine Clarissarum durante saec. XIV*, in *Arch. Franc. Hist.*, *XIII* (1920), 89ss.

15. Anno 1469. Paulus II generali in spiritualibus vicario episcopi Bonon. mandat prout in praecedenti bulla sub n. 13.

Significaverunt nobis . . . coram populo etc. in alio simili de conventu Placentiae etc. Datum Romae apud S. Petrum, anno 1469 . . ., anno VI.

R 424. Bulla huius tenoris pro conventu Placentiale, quae hic adducitur, item desideratur in BF, saltem sub Pauli II pontificatu.

16. 9 iulii 1472. Sixtus IV, cum aedificia domus S. Francisci de Varignana ord. fr. min., dioecesis Bonon., vetustate et certis aliis sinistris eventibus adeo ruinam minentur quod fratres in illa residentiam facere minime possint nisi ipsa domus totaliter reparetur, et cum ipsi fratres reparare non possint nisi eis de alicuius subventionis auxilio provideatur, eximit eamdem domum ac illius bona immobilia ubicumque consistentia ab omnibus datiis, gabellis et oneribus realibus, personalibus ac mixtis,

ordinariis et extraordinariis, in eisdem civitate et comitate impositis et imponendis. Eorumdem bonorum colonos et laboratores pro fructibus quos ipsi ex bonis colligent, necnon quoad dacium macinatus et onera salis simili exemptione perpetuo potiri decernit.

Sacrosancta romana Ecclesia . . . Datum Romae apud S. Petrum, anno . . . 1472, V. Idus iulii, anno I.

R 420. Petrus de Alva et Astorga, *Indiculus Bullarii Seraphici,* Romae 1655, II, 66, n. 72, hanc bullam in Arch. Vaticano novit cuiusque imperfecte regestum tradidit: "Ut Fratres Bononien. non solvant gabellas"; ex quo in BF n. s. III, 123, n. 292. Cf. B. Giordani, in *Analecta Franciscana,* IX, 793 (index).

17. 9 ian. 1473. Sixtus IV, cum numerus fratrum domus S. Francisci Ord. Min. oppidi Bagnacavalli, Faventinae dioecesis, cresceret in dies et in dicta domo commode habitare non possent, iamdiu ex piis eleemosynis secundum claustrum aedificare et dormitorium ampliare coeperint, sed, eleemosynis ipsis ad tantum opus minime sufficientibus, claustrum et dormitorium ad debitam perfectionem hactenus perducere nequivissent nec in brevi perducere posse sperent, nisi fideles ad huius operis consummationem per devotas elargitiones invitentur, statuit quod omnes fideles de dicto oppido et locis circumvicinis ad centum milliaria exsistentibus, dumtaxat qui ad perfectionem operum praedictorum tantum erogaverint quantum eorum conscientia sibi dictaverit, aliquam idoneum presbyterum in suum possint eligere confessorem, qui omnium peccatorum suorum, de quibus corde contriti et ore confessi fuerint, semel tantum in mortis articulo plenarium remissionem sibi concedere valeat. Vult insuper quod quamprimum, summa 300 ducatorum recepta, praesens concessio penitus cesset, mandans quatenus praedictam summam non in alios usus convertere fratres praesumant.

Aeterni Dei imperscrutabilis . . . Datum Romae apud S. Petrum, anno . . . 1472, V. Idus ian. . . ., anno II.

R 459s. Hanc quoque bullam Alva, *Indiculus,* II, 68, n. 110, novit in Arch. Vaticano, ubi tamen, sicut et praecedens, nunc desideratur, cuius regestum sic traditur: "Indulgentia pro domo Fratrum de Bagnacaballo Faventin. 5 Kal. ian.(!) 1471"; cf. BF n. s. III, 39, nota 1.

18. 15 dec. 1473. Sixtus IV pro cessatione quarumdam dissensionum in Prov. Brixiae ord. min. de Observantia.

Sixtus PP. IV. Dilecte fili . . . Auditis nonnullis quae de fratribus sub vicarii generalis cura degentibus in praeiudicium fratrum tuae curae creditorum dicuntur fieri . . . (verba illegibilia ob pergamenae usum), *super his opportune speramus quod monitis nostris parebit et omnis iniuria ac quaerela cessabit. Te quoque, fili, in Domino exhortamur ut tu etiam, quantum in te est, operam des ad mutuam caritatem et amicitiam retinendam, quamquam non dubitamus te iam sedulo facere ac fecisse. Datum Romae apud S. Petrum sub anulo Piscatoris, die 15 dec. 1473 . . . anno III.* Subscriptio: *L. Grifus.*

Arch. Status Bononiae, *S. Francesco*, Campione Rosso, V 353/5096, n. 44. Perg. orig., mm. 360 × 85. In dorso: *Dilecto filio Commissario generalis Ministri in Provincia Brixiae ord. min. de Observantia;* in R431 tantummodo regestum traditur. Ex hoc autem Brevi novimus Commissarium generalem, utique primum penes Observantes Brixiae exeunte saltem an. 1473 iam institutum esse, potius quam an. 1474, ut habetur apud P. M. Sevesi, O. F. M., *I Vicari e i Ministri Prov. della Prov. Bresciana dei Fr. Min. della Reg. Osserv.*, in *Brixia sacra*, V (1914), 106, 160, qui nomen quoque profert Commissarii, scil. fr. Petri Moro. Rerum vero adiuncta circa fratrum dissensiones, de quibus hic occurrit sermo, exponuntur ab eodem P. M. Sevesi, *La congr. dei Capriolanti e le origini della Prov. dei Fr. Min. della reg. Osservanza di Brescia*, in *Arch. Franc. Hist.*, VII (1914), 120; Idem, *La congr. dei Capriolanti . . . nella diocesi di Brescia*, in *Studi Franc.*, IX (1923), 252ss.

19. 26 ian. 1474. Sixtus IV fratres Prov. Brixiensis de Observantia admonet ut Commissario generalis Ministri obedientiam praestent.

Sixtus PP. IV. Dilecte fili . . . Debiti vestri et salutaris obedientiae est Commissario, quem vobis generalis Minister praefecit, honorem ac reverentiam exhibere eique in omnibus ad officium ipsius spectantibus prompte intendere ac parere, ut per salutarem obedientiam famulatus vester acceptior Deo sit, ne iugum in diversa trahentes Satanae locum detis. Hoc licet vos facere et facturos esse credamus, tamen quia ad boni operis exhortationem nulla superflua diligentia esse potest, per praesentes vos monemus in Domino apostolicaque vobis sub excommunicationis poena auctoritate mandamus, quatenus ipsi Commissario unanimes in praemissis obedire parereque debeatis . . . Datum Romae apud S. Petrum, sub anulo Piscatoris, die 26 ian. 1474 . . . anno III. Subscriptio: *L. Grifus.*

Ibid., n. 45. Perg. orig., mm. 375 × 100. In dorso: *Dilectis filiis fratribus Provinciae Brixiae de Observantia;* huius quoque Brevis in R 431 traditur tantummodo regestum. Cf. hic supra sub n. 18.

20. 24 iunii 1481. Sixtus IV concedit fratribus conventus S. Francisci Ferrariae facultatem "de consensu Vicarii gen. vestrae congregationis"

commutandi, vendendi possessiones et bona immobilia pro evidenti utilitate "vestrorum conventuum".

Pro pastorali officio nostro . . . Datum Romae apud S. Petrum sub anulo Piscatoris, die 24 iunii 1481 . . . anno X.

R 79s, ex origin. oim exstante in conventu Ferrariensi, in Cat. A, p. 92; S 88 bis, ubi sequitur: "In eadem pagina legitur dispensatio P. Generalis . . . *(omissis)*. Datum Cotiniolae 18 oct. 1506. Fr. Raynaldus Gra[ziani] de Cotiniola, Generalis, quae supra concedit et ordinat propria manu".

P. Caelestinus Piana, O. F. M.

Quaracchi-Firenze.

THE IMMACULATE CONCEPTION IN THE WRITINGS OF PETER AUREOLI

In the history of the Immaculate Conception, John Duns Scotus occupies a place of honor. Though he was but a pioneer — he explained and defended the *possibility* of the Immaculate Conception — he nevertheless deserves a great deal of credit for making the theologians of his and a later day stop to reconsider the doctrine. Perhaps it is because Peter Aureoli was so close to the Subtle Doctor, chronologically and otherwise, that the name of Aureoli is almost passed over in silence.

Yet the fact remains that Aureoli was the first Franciscan to write a treatise or book devoted *ex professo* and exclusively to the defense of the Immaculate Conception. On this score alone he deserves a hearing, even though his claim to a not unimportant place in the history of theological speculation on the Immaculate Conception does not rest merely on the fact that his treatise was a "first". For the theological value of his treatise and other works on Mary's unique prerogative establishes beyond doubt his legitimate claim to fame.

GENERAL REMARKS

By way of introduction it might be well to note that according to the common opinion of the thirteenth century theologians, Mary had actually contracted original sin. For St. Paul seemed to clearly imply this when he he said: "(In Adam) omnes peccaverunt" (Rom. 5, 12). Therefore, St. Thomas concluded: "Firmiter est tenendum quod omnes homines, praeter solum Christum, ex Adam derivati, peccatum originale ex eo contrahunt"[1]. And St. Bonaventure: "Nullus immunis fuit a culpa originalis peccati nisi solum filius Virginis"[2]. Furthermore the dignity of Christ, the Redeemer, seemed to demand the absolute universality of original sin[3].

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[1] I, II, q. 81, a. 3 (ed. Marietti, Taurini, vol. 1, 1950, p. 374).

[2] III *Sent.*, d. 3, p. 1, a. 1, q. 2, conc. 1 (ed. Quaracchi, vol. 3, 1887, p. 67).

[3] Cf. St. Thomas, III, q. 27, a. 2, sol. ad 2 (*ed. cit.*, vol. 3, 1948, p. 180). See also St. Bonaventure, III *Sent.*, d. 3, p. 1, a. 1, q. 2, sol. ad 4 and conc. 1 (*ed. cit.*, p. 66 and 68, respectively).

But nevertheless all the Scholastics held that Mary had the greatest purity after God and was cleansed from original sin before she was born, viz. soon after the infusion of the soul[4]. Near the end of the thirteenth century some even taught that Mary was in original sin only for an instant and, as it were, in passing *(in transitu)*. Henry of Ghent[5] tried to defend this view by Eadmer's[6] argument "potuit, decuit, ergo fecit", which the theologians had used previously to prove the corporeal Assumption of Mary. But Scotus using the same traditional axiom went a step further than Henry of Ghent: Mary could have received grace in the very first instant of her animation[7].

Aureoli follows the general lines of argument developed by Scotus, but on many points he is more explicit.

Our study is based upon Aureoli's writings which *ex professo* treat of the Immaculate Conception, viz. the edited Commentary on III *Sentences*, dist. 3, quaest. 1, a. 1—7[8] (executed either at Bologna in 1312 or more likely at Toulouse in 1314[9]); the *Tractatus de Conceptione B. Mariae Virginis* and the *Repercussorium editum contra Adversarium innocentiae Matris Dei*[10] (written at Toulouse during the first months of 1315, at the very latest[11]); and the unpublished Commentary on

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[4] St. Thomas, *Quodlib. VI*, q. 5, a. 1 (ed. Marietti, Taurini, 1949, p. 123): "Creditur enim quod cito post conceptionem et animae infusionem fuerit sanctificata".

[5] Cf. C. Balić, *De Immaculata Virginis Conceptione animadversiones historico-theologicae* in *Acta Ordinis Minorum*, vol. 72, 1953, pp. 281—282.

[6] *Tractatus de conceptione*, *PL*, 159, 301.

[7] Cf. C. Balić, *art. cit.*, p. 282.

[8] Edited by P. de Alva y Astorga, *Monumenta Antiqua Seraphica pro Immaculata Conceptione V. M.*, Louvain, 1665, pp. 68—76.

[9] *Peter Aureoli, Scriptum super Primum Sententiarum*, ed. E. M. Buytaert, vol. I, St. Bonaventure, 1953, Introduction, p. XIX ff.

[10] These titles are given by Alva in the *Monumenta*, pp. 15 and 44, respectively. But for our study we used the latest edition of these two works found in Fr. Gulielmi Guarrae, Fr. Ioannis Duns Scoti, Fr. Petri Aureoli *Quaestiones disputatae de immaculata conceptione Beatae Mariae Virginis*, Quaracchi, 1904 (Bibliotheca Franciscana Scholastica Medii Aevi, vol. 3), pp. 23—94 and 95—153, respectively.

[11] From Aureoli's stay at Toulouse two facts seem to be certain: during the Advent of 1314 Peter twice preached in favor of the Immaculate Conception of the Blessed Virgin, thus provoking some contradiction by one Dominican; in connection with that incident he wrote during the first half of 1315, at the very latest, his two works on the Immaculate Conception: the *Tractatus* . . . and the *Repercussorium*" (*Peter Aureoli Scriptum etc.:* Introduction, p. XII). Cf. Alva, *op. cit.*, p. 79 for the full details. The *Tractatus*, the first *book* or *treatise* written by a Franciscan in defense of the Immaculate Conception (preface to *Tract.* and *Repercussorium*, *ed. cit.*, p. XV), was also attacked; so Aureoli wrote his Repercussorium to refute the arguments of his opponent and to elaborate and reaffirm certain points of his *Tract.* N. Valois, *Pierre Auriol*, in *Histoire littéraire de la France*, vol. 33, Paris, 1906, p. 495 ff., has conclusively proven that the *Repercussorium* is an authentic work of Aureoli.

III *Sentences*, dist. 3, quaest. 1 and 2[12] (a *Reportatio* compiled at Paris in 1318[13]). Considering the dates of these works we can conclude that Aureoli defended the Immaculate Conception throughout his entire teaching career.

AUREOLI'S DEFENSE OF THE IMMACULATE CONCEPTION

I The status quaestionis as Aureoli sees it

Aureoli begins his defense of the Immaculate Conception in the typically Scholastic manner by stating that various authorities seem to go against his thesis. In his *Tractatus*, for example, he cites 9 texts from Scripture *(auctoritates canonis);* 30 arguments from the Fathers *(auctoritates sanctorum)* — Augustine, Ambrose, Gregory, Leo, Damascene, Anselm and Bernard; 9 arguments from the *glossae* and the *Magister Sententiarum;* and 15 arguments from reason[14].

Then Aureoli gives a clear statement of his ideas about 'conception', 'original sin' and 'contraction thereof'. This is essential for a proper understanding of the Immaculate Conception[15].

He understands 'conception' in three ways: 1. *pro seminis conceptione* — carnal intercourse[16] which we would call today *conceptio activa*[17]*;* 2. *pro formatione seu formati corporis figuratione et lineatione* — the time of pregnancy before infusion of the soul[18] or as we would say *conceptio passiva inchoata*[19]*;* 3. *pro infusione animae rationalis* — animation[20], which corresponds to what we call *conceptio passiva consummata*[21].

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[12] See edit. E. M. Buytaert in this issue of *Franciscan Studies*, p. p. 165-174.

[13] *Peter Aureoli, Scriptum etc.:* Introduction, p. XVII ff.

[14] *Tract., ed. cit.*, pp. 23—35. He cites 22 arguments against his thesis in the *Repercussorium* (*ed. cit.*, pp. 139—145). He refutes or explains away all these authorities and arguments at the end of the *Tract.* and *Repercussorium*, pp. 78—93 and 145—153, respectively.

[15] This is equally true today. Cf. J. Keuppens, *Mariologiae Compendium*, 2 ed., Antwerp, 1947, p. 54.

[16] *Tract., ed. cit.*, p. 35 and III *Sent.*, d. 3, q. 1, sol. 3 *edit.* Buytaert; see below, p. 167.

[17] J. Keuppens, *op. cit.*, p. 53; and G. M. Roschini, *Mariologia*, 2 ed., vol. 2, pars 2, Romae, 1948, p. 19.

[18] *Tract., ed. cit.*, p. 36, and *Repercussorium, ed. cit.*, pp. 137—139.

[19] Keuppens, *loc. cit.*, and Roschini, *loc. cit.*

[20] *Tract., loc. cit.* Following Aristotle on this point, Aureoli and the other Scholastics in general believed that animation took place on the fortieth day after the *seminis conceptio* for males and on the eightieth day for females.

[21] Keuppens, *loc. cit.*, and Roschini *loc. cit.*

Original sin is also taken in three ways: 1. *pro suo causali* — the libidinous and unclean *conceptio seminis*[22]; 2. *pro suo materiali* — this is *twofold*: a) privative — the privation of original justice; b) positive — strife and actual rebellion found not only in the bodily organs of generation in respect to carnal pleasures but also in the other instruments of sense, both interior and exterior, and wherever there is sensitive appetite: turpitude of this kind is a vice and a sin not formally, only materially[23]; 3. *pro suo formali* — the habitual rebellion of the sensitive appetite to right reason in all things: it is offensive, displeasing and hateful to the Divine Majesty[24].

Aureoli likewise distinguishes in regard to the contraction of original sin. For sometimes original sin is said to be contracted *de iure* and sometimes *de facto*[25]. In the former sense, all should contract sin who libidinously descend from Adam by way of propagation and seed[26]. In the latter sense, original sin is said to be contracted by all who have actually contracted it. Wherefore, it is not impossible that someone should have contracted original sin *de iure* and nevertheless not incur the offense *de facto* because of a special grace. If such were done he would be *natura filius irae* (Eph. 2, 3), but freed by grace. Hence, contraction of original sin sometimes refers to the necessity of contracting it inasmuch as he is said to contract it who has the necessity of contracting it, but at other times contraction of original sin refers to the actual contraction thereof[27].

With all these distinctions in mind Aureoli then draws up the actual *status quaestionis* for his thesis that Mary was conceived immaculate.

1. If one asks about conception in the first sense, viz. *pro seminis conceptione*, it is clear that Mary was conceived in original sin, understanding original sin *pro suo causali et pro necessitate contrahendi*[28].

2. Regarding conception in the second sense, viz. *pro formati corporis figuratione et lineatione*, some say that in the process of formation Mary's body was cleansed from all morbid quality and impurity so that in the hour of infusion, her soul was united to a pure body. But Aureoli

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[22] *Tract., ed. cit.*, pp. 36—37; *Repercussorium, ed. cit.*, pp. 118—125; and III *Sent.* d. 3, q. 1, sol. 3, *edit.* Buytaert, infra, p. 167.

[23] *Tract., ed. cit.*, pp. 37—38, and *Repercussorium, ed. cit.*, pp. 96—110.

[24] *Tract., ed. cit.*, p. 38, and *Repercussorium, ed.. cit.*, pp. 110—118.

[25] "Contrahi peccatum originale potest intelligi vel de iure semini debito, vel de facto", III *Sent.*, d. 3, q. 1, sol. 3, *edit.* Buytaert; cf. below, p. 167.

[26] *Repercussorium, ed. cit.*, pp. 133—137.

[27] *Tract., ed. cit.*, pp. 47—48.

[28] In other words, because of carnal descent from Adam, Mary would have contracted original sin unless preserved by God. *Tract., ed. cit.*, p. 48.

says: "Hoc stare non potest . . ." For there is nothing unclean in the seed or in any other bodily secretion and there can be no concupiscence in the body before it is animated[29].

3. If the question deals with conception in the third sense, viz. *pro infusione animae rationalis*, then there is something certain and something doubtful. For it is certain that Mary contracted original sin and rebellion and was a daughter of wrath *de iure*, in so far as this contraction was *ex natura* and *ex necessitate*[30] because she was generated from the intercourse of husband and wife, just as other women. But that she contracted original sin and rebellion and was a daughter of wrath *de facto* is doubtful and uncertain. For it seems horrible to pious ears and devout souls that her blessed soul should have been the daughter of wrath or the object of God's displeasure[31].

Aureoli devotes most of his discussion to this last point. Hence he asks: "An tunc ex unione ad carnem contraxerit (Maria) Dei offensam, odium, culpam et iram, aut fuerit creata in gratia et Dei amore sic, quod numquam odita fuerit a dilecto Filio suo?"[32] The remainder of this article will be devoted to Aureoli's answer to that question.

In order to avoid a preponderance of indirect discourse, we present the arguments below as if Aureoli himself were speaking[33]. Comments and observations, when necessary, are given in the footnotes.

II Proof of the Immaculate Conception

A. *God could preserve Mary from original sin.*

God has more power in sparing and in forgiving one's offense than has any man. But man can forgive an offense and fault committed against him and remit a debt liberally in any instant whatever. Ergo, God too could remit the fault which the soul of Mary would have contracted in the instant of its union with the flesh[34].

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[29] *Tract., ed. cit.*, pp. 48—49.

[30] According to John Maldonatus (*Adnotationes de Immaculata Conceptione*, codex Bibliothecae Vaticanae, *Vat. lat.* 6433, fol. 31*r*: cited by C. Balić in *De debito peccati originalis in B. Virgine Maria*, Romae, 1941, pp. 2—3), the distinction between the *debitum* and *actum peccati originalis, apud veteres inaudita*, was introduced in the sixteenth century. But it certainly goes back further than Cajetan to whom it is often attributed. For Aureoli uses this distinction, at least in essence, throughout his defense of the Immaculate Conception. Cf. V. Doucet, *Magister Aegidius Carlerii († 1472) eiusque Quaestio de Immaculata Conceptione B. Mariae Virginis* in *Antonianum*, vol. 5, 1930, p. 441, note 3.

[31] *Tract., ed. cit.*, p. 48.

[32] *Ibid.*, p. 49.

[33] We cannot, of course, give all Aureoli's arguments since he wrote so much on the Immaculate Conception. We present below only the main ideas of the more outstanding arguments.

Furthermore, if two agents begin to act on the same patient, that which has the more power wins and draws the patient to istself. But the Divine Power is stronger in infusing grace than is the flesh in infecting the soul. Ergo, if in the instant in which the soul of the Blessed Virgin was infused, God acted to grant grace, but the flesh to infect through guilt, the Divine Power as infinite would draw Mary's soul to Itself and would win it so that it would be under grace and in no way under guilt[35].

God can suspend the action of any natural agent. For He could preserve the three boys from the flames in the fiery furnace (Dan. 3, 49ff). But the *virtus formativa* operates by way of a natural agent in generating the flesh and in impressing the stain of rebellion on the flesh. Ergo, in the instant of animation God could suspend that activity so that it would not impress concupiscence on the animated flesh[36].

The legislator can dispense from any law which he has made. But God made the law by which the soul contracts original sin from its union to the flesh produced in concupiscence from the intercourse of man and woman. Ergo, God could revoke that law in the case of Mary, if He so willed[37].

God can confer grace on the soul in whatever instant it is capable. But the soul is capable of grace in the very instant in which it is united with the flesh. Ergo, in the first instant of her animation God could have confered grace on the soul of Mary[38].

The *ratio* of original sin is nothing other than: 1. concupiscence in the *carne seminata;* 2. the privation of original justice; or 3. offenses against God founded on the first two things. But God could have removed all three things from Mary in the instant of her animation. Ergo, God could have removed original sin altogether[39].

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[34] *Tract., ed. cit.*, pp. 49—50.

[35] *Ibid.*, p. 50. III *Sent.*, d. 3, q. 1, sol. 2, *edit.* Buytaert, p. 166: "Potentior est Deus in praeservando quam caro in inficiendo". III *Sent.*, d. 3, q. 1, a. 3, *ed.* Alva, p. 72: "Ex una parte est caro inficiens animam, et ex alia Deus infundens gratiam: Deus autem est agens fortis et vigorosus: ergo ante potest effectus Dei, quae est gratia, animae inesse, quam culpa in illo instanti, quo utrumque agit".

[36] *Tract., ed. cit.*, p. 50. III *Sent.*, d. 3, q. 1, sol. 2, *edit.* Buytaert, p. 166: "Deus potuit praevenire infectionem".

[37] *Tract., ed. cit.*, p. 51, and III *Sent.*, d. 3, q. 1, a. 3, *ed.* Alva, p. 72.

[38] *Tract., ed. cit.*, pp. 51—52.

[39] *Ibid.*, p. 52.

From all these arguments we can conclude that God could have preserved Mary from original sin not only by His absolute power (which no one would deny) but also by His ordered power since He is free to dispense from the *leges communes* He has established from all eternity[40].

B. *It is most fitting that God should preserve Mary.*

Christ is the most perfect Redeemer and the most powerful Propitiator of sins. But He would not be, if He lacked the most perfect act of redemption, viz. preserving someone from the contraction of original sin. Now, Christ ought not nor could He use this way of redeeming so fittingly for anyone other than His own Virgin Mother. Ergo, for her it was most fitting that Christ used this way[41].

Nor is there any argument if one says that redemption presupposes that one fell into sin. For that is evidently false since through the Passion of Christ we are redeemed from eternal death even though we have never fallen into it. But because we would have fallen into it if we were not preserved, we are fittingly said to be redeemed from it. So also is one said to be redeemed from sin who has been preserved from it[42].

This opinion seems to be approved by the authority of St. Augustine. For in his *De natura et gratia*[43] he says: "Cum de peccato agitur, nullam de Maria volo prorsus facere mentionem"[44]. From this we can conclude that Mary never committed a venial sin. But it is certain that original sin is greater and more detestable than venial sin since the former merits God's wrath and eternal damnation which the latter does not. Ergo, if Christ detested venial sin in her who conceived and gave birth to Him, *a fortiori* did He detest original sin in her[45].

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[40] Aureoli proves in great detail how by His ordered power God could preserve Mary from original sin. Limitations of space do not permit us to analyze that proof. Cf. *Tract., ed. cit.*, p. 52—53, and III *Sent.*, d. 3, q. 1, a. 3, *ed.* Alva, p. 72.

[41] *Tract., ed. cit.*, pp. 54—55. Aureoli is following Scotus in this argument. Cf. Scotus, *Op. Oxon.*, III *Sent.*, d. 3, q. 1, edited in C. Balić *Ioannis Duns Scoti Theologiae Marianae Elementa*, Sibenici, 1933, p. 22 ff.

[42] *Tract., ed. cit.*, p. 55. III *Sent*, d. 3, q. 1, sol. 3, *edit.* Buytaert, p. 167: "Perfectius ergo (Deus) redemit quando praeservavit (Mariam) a peccato quam si permitteret cadere in peccatum, et postea emendaret".

[43] Cap. 36, n. 42, *PL*, 44, 267.

[44] Cited by Aureoli in III *Sent.*, d. 3, q. 1, a. 1, *ed.* Alva, p. 69. He must have been quoting from memory because in his *Tract.* (*ed. cit.*, p. 57) he gives a different version of Augustine's text.

[45] *Tract., ed. cit.*, pp. 57—58. Scotus has a similar argument in his *Op. Oxon.*, III *Sent.*, d. 3, q. 1, and *Op. Paris.*, III *Sent.*, d. 3, q. 1, edited in C. Balić, *Elementa, etc.*, p. 25 ff. and p. 48, respectively.

Christ preserved Mary from every dishonor and granted her every honor, *salvo honoris sui privilegio singulari*. But it is most honorable for Mary not to be stained by original sin, even more so than not to be reduced to dust after death. But Christ granted the latter privilege to His Mother without detracting from His own honor: 1. because He is more excellent in sanctity, having original sin neither *de iure* nor *de facto;* and 2. because the Son has greater honor if not only He Himself was free from sin but also His Mother *ob gratiam et reverentiam sui*[46].

No prudent artificer having a certain purpose in mind produces his work in opposition to that purpose. But God made Mary for this purpose: that He would in time be conceived and born of her. Ergo, since every sin, original and actual, is repugnant to the conception of God, it would not be prudent or fitting for God to include His work — Mary — under original sin even for an instant, especially since He could preserve her from this sin. Nor is there any apparent reason why He did not will to do this. For from this the excellence of Christ does not decrease; rather it increases[47].

When the angel said to Mary: *Ave*, "id est sine vae"[48], this must be understood in general, that is, without 'woe' of any sin whatever. Ergo[49].

The divine maternity, the principle of every grace, the beginning of divine peace, charity and friendship repels the thought of every sin. For it is unthinkable and unbecoming that the principle of friendship should have been the daughter of wrath; the Mother of God, the daughter of sin. No, none of these things are fitting according to the mind of Augustine[50]. Ergo[51].

Christ is the son of Mary as well as the Son of God. But it would seem unreasonable for God to choose Mary as the Mother of His Son if she had ever been displeasing and hateful to Him. Ergo, God should have granted Mary eternal immunity from every sin[52].

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[46] *Tract., ed. cit.*, p. 60; III *Sent.*, d. 3, q. 1, sol. 3, ed. Buytaert, p. 167; and III *Sent.* d. 3, q. 1, a. 4, *ed.* Alva p. 73. This argument is directed against the Scholastics who said that the dignity of Christ the Redeemer demanded the absolute universality of original sin.

[47] *Tract., ed. cit.*, p. 62. Cf. note 46.

[48] Peter Cellensis, *Serm. 24 in annuntiat. Dominic., PL*, 202, 713.

[49] *Tract., ed. cit.*, p. 65.

[50] Aureoli is here referring to the *De assumptione beatae Virginis* (*PL*, 40, 1143) which was not written by St. Augustine but by Paschasius Radbertus, Alcuin, Rabanus Maurus, Ratramnus or an anonymons author of those times.

[51] *Tract., ed. cit.*, p. 66.

[52] *Ibid.*, p. 68.

Even Bernard[53] implicitly confirms this thesis. For it was his intention only to say that Mary was sanctified as early as was possible. But she could be sanctified in the very first instant of animation. Ergo, Bernard implied that Mary was actually sanctified in that moment[54].

From the *Glossa ordinaria* on John 19, 26, we gather that Christ took the best care of His Mother and loved her in the highest degree. In fact His love has been the example, rule and measure of all filial love for everybody else. Ergo, never have wrath and hatred been mixed in with the love which Christ had for His Virgin Mother[55].

No one doubts that God could have sanctified the Blessed Virgin in the first instant of her conception. Why, therefore, would He be so cruel and lacking in filial respect as not to grant this kindness and mercy? It certainly does not detract from the sublime dignity of Christ. For He is greater than Mary since He is holy *de iure* and *de facto*, from nature and all justice[56]. But Mary is holy only *de facto*, not *de iure;* and again, not by nature but by grace, not from any justice but by the highest mercy. Nor does the Immaculate Conception detract from Christ as Redeemer of all men; in fact, as the most perfect act of redemption, it proclaims the excellence of the Redeemer. Nor could you say that Mary had no need of Christ as Mediator for she needed Him most in order to be preserved from original sin just as the rest of us need the Mediator lest we fall into the abyss of eternal damnation. Ergo, if the Immaculate Conception does not detract from Christ as the Saint of Saints or the Redeemer from sin or the Mediator of God and man, what reason could you possibly give to refute what has been said[57]?

C. *Without danger to faith it can be held that God preserved Mary de facto.*

It is the business of the Lord Pope, the Cardinals and the Roman Church to recognize errors in faith. But the Lord Pope, Cardinals and the Roman Church have known *diu et notorie* that the Churches in England, Normandy and Lyons along with the University of Paris and many other Churches under the Lord Pope celebrate the feast of the Conception. Many too have preached in Paris and in England and still preach each year that the Virgin Mary did not contract original sin. If, therefore, the Immaculate Conception is erroneous or dangerous to faith, then Pope and the Universal Church would be erroneous in allowing these things. Wherefore, he who says this conclusion is dangerous to faith imposes on the Roman Church the crime of error. But the Church cannot err. Ergo, he who says that this doctrine is erroneous is himself erroneous and separated from the unity of the Church[58].

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[53] *Epistola 174, PL,* 182, 335. In III *Sent.*, d. 3, q. 1, a. 1, *ed.* Alva, p. 69, Aureoli says: "Bernardus etiam dicitur illam opinionem retractasse saltem mortuus: unde dicitur, quod apparuit cuidam Monacho post mortem cum macula in pectore, propter illa, quae dixerat de Conceptione Virginis gloriosae". This legend seems to go back to the end of the twelfth century. But some authors claim that William of Ware started it. Cf. N. Valois, *op. cit.*, p. 499, note 6.

[54] *Tract., ed. cit.,* pp. 69—70.

[55] *Ibid.*, p. 70.

[56] "Christus . . . fuit sanctior beata Virgine, quia ampliorem gratiam habuit ex conceptione sua; *debuit* enim concipi sine peccato, cum fuerit conceptus ex virtute Spiritus Sancti". III *Sent.*, d. 3, q. 1, sol. 3, *edit.* Buytaert, p.167.

[57] *Tract., ed. cit.,* p. 63.

Furthermore, only the Roman Pontiff has power to settle matters of faith. Ergo, whoever in public presumes to assert that one opinion or the other in this matter has been determined or defined, usurps the privilege of the Sovereign Pontiff and the Roman Church[59].

Anselm[60], Richard of St. Victor[61], Alexander Nequam[62], Robert of Lincoln[63], Master John Scotus[64], William of Ware[65], and many other holy doctors have held that Mary was preserved *de facto* from original sin. Ergo, it can be held without danger to faith[66].

The Churches of England and Paris which celebrate the feast of the Conception sing in their liturgy words which could not be used unless Mary had been preserved from original sin:

Cordis ac vocis iubilo,
Laudes pangamus Domino,
Cuius Matris conceptio,
Mundum perfudit gaudio.

And:

Da nobis quaesumus, conceptionis eius digne solemnia venerari.

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[58] *Ibid.*, p. 72.

[59] *Ibid.*, pp. 72—73.

[60] Aureoli erroneously attributes the *Tractatus de conceptione*, which he has in mind here, to St. Anselm. It was written by Eadmer; see note 12. Cf. also X. Le Bachelet, *Immaculée Conception* in *DTC*, vol. 7, col. 1007 ff.

[61] Cf. X. Le Bachelet, *op. cit.*, col. 1027 ff. and 1061.

[62] Cf. preface to *Tract.* and *Repercussorium*, *ed. cit.*, p. XII, note 3.

[63] Cf. E. Longpré, *Robert Grossetête et l'Immaculée Conception* in *Archivum Franciscanum Historicum*, vol. 26, 1933, pp. 550—551.

[64] For Scotus' texts, see C. Balić, *Elementa*, pp. 17—54; 190—235; and 335—346.

[65] Ware's texts is in Fr. Gulielmi Guarrae, etc. *Quaestiones disputatae de immac. conc. B. V. M.*, pp. 1—11.

[66] *Tract.*, *ed. cit.*, pp. 72—73.

And:
Conceptum quoque pie solemnizate.

And:
Celebris dies colitur,
In quo Virgo concipitur.

And:
Conceptus hodiernus Mariae Virginis
Venenum tersit,
Nexum solvit,
Vetustae originis.

And:
O veneranda series et beata progenies, unde *surgit ut aurora* Maria, virgo decora[67].

These and other prayers which are said in solemn Churches would not be true if the Blessed Virgin had been conceived in original sin[68].

Furthermore, only those things must be considered as determined in faith which have been explicitly defined by the Church. But in no creed or council or any ecclesiastical determination whatever can we find that this question has been settled. Ergo, neither opinion in this matter has been defined; consequently, either opinion may safely be held[69].

All the sayings of the Fathers dealing with this matter can be reduced to two modes: either they speak in general that every man contracts original sin or they speak in particular of the Blessed Virgin. But what they say in general proves nothing in regard to Mary because as St. Augustine[70] teaches: "Excipienda est Maria a regulis generalibus, ubi non congruit sanctitati et singulari gratiae sibi factae de maternitate et susceptione Filii Dei". Only when the Fathers speak in particular of Mary do we learn their true intention. But all they say is that in the *conceptio seminis (conceptio activa)* Mary was conceived in sin or concupiscence which no one would deny. But none of the Fathers has ever said that Mary had thereby contracted wrath as far as her soul is concerned or concupiscence in regard to her flesh[71].

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[67] As Valois (*op. cit.*, p. 493) remarks, these references might prove interesting to historians of the liturgy.

[68] *Tract., ed. cit.*, pp. 73—74.

[69] *Ibid.*, p. 74.

[70] Rather the author of the *De assumptione*. See note 50.

[71] *Tract., ed. cit.*, pp. 75—78. Aureoli resolves all the difficulties found in the Fathers on the basis of his distinction between the *de iure* and the *de facto* contraction of original sin. Therefore, whenever the Fathers say Mary contracted original sin, they really mean that Mary *would have contracted* original sin had she not been preserved from it *de facto*.

Furthermore, not all privileges granted to Mary are expressed in Scripture. For in no text of Scripture do we read that she was sanctified in the womb before birth; but the Church holds this nevertheless. One privilege, however, is contained in Sacred Scripture, viz. that Mary is the Mother of God. From this privilege the Church infers that God granted her all sanctity, every honor, and every prerogative, *salvo honore suo*. Since, therfore, it is most fitting that her soul should have been created in grace and her flesh should not have been infected with concupiscence, it can probably be said that this has actually been done, even though Sacred Scripture does not say so[72].

And, therefore, I piously hold and believe that the Blessed Virgin did not contract original sin[73].

The effects of the Immaculate Conception are as follows:

1. *In ordine ad Deum*. Mary received sanctifying grace whose principle effect was to put her whole person *in esse accepto Dei in instanti Conceptionis suae.*

2. *In ordine ad animam*. Mary received all the virtues in a pre-eminent degree.

3. *In ordine ad carnem*. Mary was free from all concupiscence. "Quidam[74] tamen dixerunt, quod ista lex (scil. in membris) fuit mitigata; sed ego dico, quod fuit totaliter extincta, et ita deleta illa qualitas, quae qualitas non est solum concupiscentia carnis, sed inobedientia ad rationem"[75].

4. Though Mary did not possess original justice, she never committed the least sin[76].

CONCLUSION

From even this brief sketch, it is not difficult to discern the value of Aureoli's teaching on the Immaculate Conception. True, he follows the general line of argument advanced by his famous confrere, John Duns Scotus. But, as Teetaert justly observes, Aureoli surpassed the

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[72] *Tract., ed. cit.*, pp. 92—93.

[73] III *Sent.*, d. 3, q. 1, a. 4, *ed.* Alva, p. 73.

[74] St. Thomas, III, q. 27, a. 3, (*ed. cit.*, p. 181—182), and St. Bonaventure, III *Sent.*, d. 3, p. 1, a. 2, q. 2 (*ed. cit.*, p. 75).

[75] III *Sent.*, d. 3, q. 1, a. 6, *ed.* Alva, pp. 74—75.

[76] *Ibid.*, p. 75.

Subtle Doctor not only in depth but also in the clarity of his reasons and proofs for our Lady's singular prerogative[77].

Moderate as well as reserved, yet with keen theological insight, Aureoli proved that the Immaculate Conception is possible in virtue not only of God's absolute power but also of His ordered power. By a careful analysis of Mary's relationship to God the Father Who created her to become the Mother of His Son, and to God the Son Who performed the most perfect act of redemption and mediation for His Virgin Mother, and to God the Holy Ghost[78] Who deigned to accept her as His Spouse, Aureoli amply established that the doctrine of the Immaculate Conception is most fitting. Consequently, since this teaching does not lack serious foundation in Sacred Scripture and Tradition and in the practice of the Church, Aureoli concluded that Mary's unique privilege can be held without danger to faith.

Finally, Aureoli proved himself a stanch defender of Mary's prerogative and a faithful son of Mother Church when he wrote: "Donec itaque sacrosancta romana ecclesia sic expresse determinaverit, sicut ista expressa sunt, quid de conceptione aut sanctificatione immaculatae Virginis tenendum, *iustificationem* eiusdem Virginis, *quam tenere coepi, non deseram; neque enim reprehendit me cor meum* (Job 27, 6)[79].

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[77] A. Teetaert, *Un grand docteur Marial franciscain: Pierre d'Auriole* in *Études Franciscaines*, vol. 39, 1927, p. 363.

[78] Cf. *Tract., ed. cit.*, p. 69.

[79] This is the concluding sentence of the *Repercussorium* (*ed. cit.*, p. 153). — The preceding article was submitted to the Mariological Society of America in their annual contest; it received first prize (1954).

AUREOLI'S UNPUBLISHED REPORTATIO III DIST. 3, Q. 1—2

Writers who expounded the Sentences of Peter Lombard, usually expressed their views on the Immaculate Conception in the Third Book, the Third Distinction of their Commentaries. Peter Aureoli followed the customary procedure. To make clear which of his texts are presented here, a few remarks are in order concerning Aureoli's commentaries on the Third Book of the Sentences. This also demands certain additional considerations concerning some of his other writings.

In 1596 Cardinal Constantius Torri of Sarnano, O. F. M. Conv., published in Rome Aureoli's Commentary on the First Book of the Sentences. This commentary is recognized by modern scholarship as being an *Ordinatio*[1]. Cardinal Sarnano died the year of the edition of the *Ordinatio*, but probably had already done some preparatory work for the second volume of Aureoli's commentaries, which was eventually published in Rome, 1605, but without the name of the person(s) who actually prepared the edition. This second volume contains the Commentaries *(Reportationes)* of Aureoli on Books II—IV of the Sentences, plus his *Quodlibet*.

Some twenty-five years ago F. Pelster, S. J., discovered that the text of Books II and IV as given by the 1605 edition corresponds substantially to the manuscripts of these Commentaries still in existence. But the same eminent scholar discovered also that the edited text of the Third Book does not, in a large part, correspond to the codices; for up to Dist. 23, q. 4, art. 3, — and thus with the inclusion of the Third Distinction or the texts on Immaculate Conception, — all the manuscripts known to Pelster had another text. Not till 1947 was a manuscript discovered which apparently contains the entire text of the 1605 edition of Book III[2]. It is ms. Sarnano E. 92 (fol. 1—113 or the entire codex) from the fourteenth century. This manuscript, presumably, had been used in the edition of 1605.

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[1] Aureoli's *Reportatio* on the First Book has never been published.

[2] G. Abate, O. F. M. Conv., *Antichi manoscritti ed incunaboli dell'ex-biblioteca O. F. M. Conv. di S. Francesco ora Bibl. Commun. di Sarnano (Marche)* in *Miscellanea Francescana* 47 (1947) 502. The same library possesses ms. E. 101 containing Aureoli's *Ordinatio* I; the codex is mutilated now, but presumably was complete at the time of Card. Sarnano and used by him for his edit. of

The *Reportatio* III, published in 1605, is far from complete. Peter Lombard's Third Book of the Sentences has fourty distinctions; twelve of the distinctions do not appear in the published *Reportatio:* Dist. 5—8, 24—26 and 28—32. On the other hand, Dist. 17 has two commentaries[3], both consisting of a "quaestio unica". But the topic of the questions is different; consequently, it might be a mistake either of the scribe or of the seventeenth century editor that the original rubrics "Dist. 17, q. 1 et 2" were twice changed to "Dist. 17, q. unica".

The unpublished *Reportatio* is found in four codices, all of the fourteenth century: 1. Florence, Nazionale, Conv. Soppr. B. VI. 121, fol. 123—146; 2. Florence, Medicea Laurenziana, Laur. Plut. 32 dextr. 12, fol. 1—39; 3. Paris, National Library, lat. 17484, fol. 1—48*r* or the entire manuscript[4]; 4. Toulouse, Municipal Library, ms. 243, fol. 1—39[5]. LPT contain the so-called "collatio", three "quaestiones ordinatae", the entire *Reportatio* of Book III, i. e. all the questions up to Dist. 23, q. 4, art. 3 included, of the unpublished *Reportatio*, and from there on, a text more or less corresponding to the edited *Reportatio;* finally they contain an index; it is noteworthy that in this index, L includes the "quaestiones ordinatae". N has only the *Reportatio*, and comes to an abrupt end in the middle of the second question of Dist. 24. Since the *Reportatio* as of Book III, edited in 1605, has no commentary on Dist. 24, manuscript N has almost nothing in common with this old edition.

N has the rubric[6], seemingly by another hand, "tertius petri aureoli". This codex has other special characteristics. All the distinctions, from one till twenty-four, are numbered in the margin; the large initials, for

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1596; cf. *ibid.* 505—506; ms. E. 145 of the Sarnano library has the *Quodlibet* of Aureoli; cf. *ibid.* 520—521; this codex was used, possibly, for the edition of the *Quodlibet*, 1605.

[3] *Edit.* 1605, 456—461.

[4] Cf. L. Delisle, *Inventaire des manuscrits latins de Notre-Dame et d'autres fonds* in *Bibliothèque de l'Ecole des Chartes*, an. 1870, 509. — The folios of the codex have been numbered upon binding, and the binder had confused the order of the folios; in our case, for instance, fol. 15 ought to follow fol. 12.

[5] *Catalogue général des manuscrits des bibliothèques publiques des Départements* VII (Paris 1885) 154. The same library contains more mss. of Aureoli: 180, 739 and 744; the last one came from the Dominicans of Toulouse, the others from the Augustinians, none from the Franciscans of Toulouse. — From here on, the following abbrevations will be used:

L: Florence, Laur. Plut. 32 dextr. 12;
N: Florence, Nazionale B. VI. 121;
P: Paris, National Library, lat. 17484;
T: Toulouse. Municipal Library 243.

[6] Fol. 123*va*, top margin.

which space was provided at the beginning of each question, were never added; corrections of the text are very infrequent. It might also be noted here that the codex contains Aureoli's commentary on the Second Book of the Sentences.

L, which contains Aureoli's *Reportationes* on the Third and Fourth Books plus his *Quodlibet*, formerly belonged to the Friars Minor of Holy Cross Monastery at Florence[7]. Its *incipit* of the "quaestiones ordinatae", is[8]: "*Cum venit* etc. Liber iste tertius secundum intentionem Magistri..."; this seems to be the real *incipit*, and not the one we read elsewhere[9]: "Convenienter igitur iste liber secundum intentionem Magistri . . .". The reason why the *incipit* of L is to be preferred is because Aureoli always starts with a quotation from Peter Lombard, and the words "Cum venit" are found at the beginning of Dist. 1 of the Third Book of the Sentences[10]; and it would seem that the *incipit*, as written by Aureoli, actually was "Cum venit igitur, etc. Liber . . .", because this reading, from the paleographical viewpoint, explains the reading of the other codices.

The "quaestiones ordinatae" in L are followed by the observation (fol. 8*ra*): "Expliciunt questiones ordinarie composite. Quod sequitur est reportatum". And after the *Reportatio* (fol. 38*vb*) we read: "Expliciunt questiones super tertium sententiarum edite a magistro petro aureoli ordinis fratrum minorum", whereas the index is followed by these words (fol. 39*rb*): "Expliciunt tituli questionum magistri petri aureoli super tertium sententiarum. Deo gratias. Amen".

P, the provenience of which is unknown, contains only the "collatio", the three "quaestiones ordinatae", and the *Reportatio* with the corresponding index (which index does not list the "quaestiones ordinatae") of the Third Book of Aureoli. At the end of the text of the *Reportatio* we find the rubric (fol. 47*vb*): "Explicit tertius liber sententiarum". The index is preceded by the rubric (fol. 48*ra*): "Tabula super tertium librum sententiarum"; the index ends with the rubric (fol. 48*rb*): "Explicit tabula super tertium librum sententiarum".

T, not used in our edition, originally belonged to the Augustinians of Toulouse. The manuscript is dated 1323 (old style). It contains the "collatio", the three "quaestiones ordinatae", and the *Reportations* of the Third and Fourth Books, and the index of the First, Third and Fourth Books *(Reportationes)*.

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[7] Verso of the front fly-leave.

[8] Fol. 1*rb*.

[9] For example F. Stegmüller, *Repertorium Commentariorum in Sententias Petri Lombardi* I (Würzburg 1947) 315.

[10] Edit. Quaracchi 1916, II 550.

The question of the date of Aureoli's texts on Sentences III, — "collatio", "quaestiones ordinatae", published and unpublished *Reportatio* — is still open for discussion. We would not hesitate however to connect the "collatio" with Aureoli's lecturing on the Sentences at Paris (1316—1318; lectures on Sentences III, 1318); our reason for this is that the "collatio" contains the same typical word which is found in the "collatio" of Reportationes I, II and IV:

I: "Ingredere in medio *rotarum*, quae sunt subtus cherubim". Ezechiel X (2);
II: "*Rota* una iuxta cherubim unum, et *rota* alia iuxta cherub unum". Ezechiel X (9);
III: "Quasi si sit *rota* in medio *rotae*. Ezechiel X (10);
IV: "Spiritus vitae erat in *rotis*". Ezechiel I (20).

As to the "quaestiones ordinatae", they may have been composed as early as 1316, before the Parisian set of *Reportationes*. Evidence in favor of this hypothesis is Aureoli's dedication of *Ordinatio* I to Pope John XXII[11]. Aureoli states in the dedication that the Pope's gracious acceptance of the work and his paternal criticism will impel him to complete what remains to be done on the other books, viz., to finish *Ordinatio* II, III and IV. The expression "ad complendum quod de libris reliquis superest apostolica benedictio delectabilius incitabit" could possibly be understood in the sense that, when Aureoli composed his dedication, he still had to start, in their entirety, the projected *Ordinationes* II, III and IV; however, the normal meaning of the phrase seems to be that some of the work had been done already; and since other than *Ordinatio* I, non "quaestiones ordinatae" of Aureoli exist, except the three questions of Book III, it is reasonable to admit that the latter were composed in or before 1316.

Without investigating here the question of the chronology of the different parts or redactions of *Reportatio* III, our present feeling is that the unpublished *Reportatio* belongs to the lectures at Paris, and that the corresponding part of the published *Reportatio* is the fruit of Aureoli's teachings either at Bologna or at Toulouse.

But the edition of the first two questions of the Third Distinction, which we now present, seems to raise a new problem. The differences between the texts as found in LP and N cannot be explained on the basis of little mistakes always made by scribes. The differences in the first half of the second question, in particular, are so great that it is necessary to admit two recensions of the unpublished *Reportatio:* recension N, and recension LP.

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[11] Peter Aureoli, *Scriptum super Primum Sententiarum,* edit. E. M. Buytaert, vol. I (St. Bonaventure, N. Y. 1953) 7—9, especially 8.

But what is the explanation of these differences between the two recensions? It could be that LP and N descend from two different reporters listening to the same lectures or from two different lectures by Aureoli, the author using the same set of notes; or one recension may go back to the notes of Aureoli, the other being a real *Reportatio;* or one recension could be simply a reportation, the other, a text corrected by Aureoli. It would be presumptuous to make final conclusions simply on the basis of the two questions published here; still I am inclined to believe that recension N is a reportation of lecture held at Paris, and that recension LP gives the same reportation, but as corrected by Aureoli. This hypothesis would explain why recension LP is connected with the three "quaestiones ordinatae". For this latter fact certainly suggests some intervention of Aureoli personally, since a simple reporter could not obtain the "quaestiones compositae" without the consent of the author. Our hypothesis would also explain the rubrics found in L: whereas the codex calls the first three questions "composite", the remainder is referred to as "reportatum" and "questiones *edite* a magistro petro aureoli". These two latter expressions taken together, would mean a reportation edited by the lecturer.

As to the Third Distinction of the Third Book, the published *Reportatio* has only one question, subdivided into seven articles. These texts were reproduced by Alva y Astorga, whose edition has been quoted in the preceding artice by A. di Lella[12]. In the unpublished *Reportatio* the Third Distinction is subdivided into various questions, the first two of which deal with the Immaculate Conception, and are edited here. Our texts are clearly related to the *Tractatus de Immaculata Conceptione*, by Aureoli, and in a number of cases they appear to be a summary of the corresponding passages of the *Tractatus*, and are fully understood only in the light of the latter.

As to the doctrine expressed in the First Question, it should be noted that Aureoli once again is a witness of the belief of his time in the Assumption of the Blessed Virgin, in her sanctification before birth, and in the absence of even a venial sin during her entire mortal life. Aureoli's appeal to the liturgy is likewise noteworthy: in this small question alone, he refers to the prayers of the Mass and Office of December 8, the feasts of the "Cathedra S. Petri" (January 18, February 22), and "S. Petri ad vincula" (August 1), and the ecclesiastical requirements for the corporal used in the Mass.

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[12] *Edit.* 1605, 379—385; O. Alva et Astorga, O. F. M., *Monumenta antiqua seraphica* (Louvain 1665) 68—76; A. di Lella, cf. supra (the preceding art. in this issue of *Franciscan Studies*).

The second Question deals with the particular theory according to which the Blessed Virgin would have had, at the very moment of her conception, both original sin and sanctifying grace, and thereafter the grace only. Aureoli does not mention the name of the defender of this theory, but according to the very recent studies of F. Leite de Faria, O. F. M. Cap., this was one of the two interpretations given at the end of the thirteenth and the beginning of the fourteenth century to the teachings of Henry of Ghent, though Fr. Leite thinks that the other, second interpretation really expresses the doctrine of Henry, namely, that Mary for a fraction of a second was in the state of original sin (without grace), and immediately thereafter in grace[13]. Whatever the correct interpretation of Henry might be, Aureoli rejects both of them. The Blessed Virgin, so he explains, was in grace from the very first instant of her existence, and without original sin (ostendo quod de facto fuit praeservata); he is willing to admit that, at that very first moment, she had the "debitum peccati originalis", but not the original sin itself. And he is willing to accept as possible, but not as a fact, that Mary could have been for the very first instant of her existence in original sin, and the next moment already in grace; in this sense Aureoli rejects the doctrine of Henry (second interpretation of F. Leite de Faria) only on the level of fact, not on the level of the possible.

As to how the questions published here would have been modified if Aureoli had modern methods of historical criticism, is a matter for conjecture. For instance, without questioning he admits that the parents of the Blessed Virgin normally were sterile, and consequently, that the conception of Mary was miraculous; a modern scholar would simply say that there is no evidence in favor of this belief. Along with most authors of his time, Aureoli quotes as works of St. Augustine *De fide ad Petrum* and *Sermo de assumptione B. M. V.;* but modern scholarship knows that the *De fide ad Petrum* was written by Fulgence of Ruspe, and it is generally accepted that the *Sermo de assumptione* belongs to

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[13] *L'attitude des théologiens au sujet de la doctrine d'Henri de Gand sur la Conception de la Sainte Vierge* in *Etudes Franciscaines* V (1954) 133—152, with references to other publications by the same author on related topics.

the Carolingian period, the ninth century, though no agreement has been reached as to the identity of its author: Alcuin, Rabanus Maurus, Paschasius Radbertus, Ratramnus of Corbie and an unknown author of that time are all candidates. To our knowledge, H. Barré is alone in believing that the sermon was composed during the twelfth century[14]. Without the overpowering authority of St. Augustine behind him, Aureoli would probably have been more reserved in some of his expressions and statements.

11rb
27va
12rb

[LIBRI III] DISTINCTIO TERTIA

[Quaestio Prima]

I. Utrum beata Virgo fuerit concepta in peccato originali.

1. Videtur quod sic, quia omnes in Adam peccaverunt.

2. Contra, auctoritas Ecclesiae videt quod fit festum de conceptione
11va eius in multis ecclesiis, et tamen dissimulat; / quod non faceret, si esset error. Nec potest dici quod festum fiat de sanctificatione, quia in oratione, et in legenda quae tunc legitur, et in antiphonis dicitur expresse 'conceptio'.

II. Respondeo, dimissis opinionibus.

1. Primo pono unam rationem, quae accipitur a beato Augustino: Cum enim non legamus de beata Virgine in sacra Scriptura nisi valde pauca, debemus sibi attribuere quidquid conveniens et condecens est sibi inesse secundum statum et dignitatem suam.

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[14] *Status quaestionis* of the origin of the sermon as to 1952: A. Deneffe, S. J.—H. Weisweiler, S. J., *Gualteri Cancellarii et Bartholomaei de Bononia O.F.M. Quaestiones ineditae de assumptione B. V. Mariae* (*Opuscula et Textus*, Series scholastica fasc. IX, Münster 1052) 24 note 2.

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1 DISTINCTIO TERTIA *mg P*, *om. LN* 4 Videtur *om. N* || quia | secundum apostolum *add. N* || Adam | iam *add. N* 5 auctoritas | auctoritatem *N*, auctoritate *P* || Ecclesiae | que *add. N* || videt | videtur quod sic *sed del. P* || quod fit | quia *LP* || 5—6 de . . . ecclesiis | in multis ecclesiis de conceptione ipsius *N* 6 dissimulat | quod non *add. L* 8 in^{1} *om. P* || et^{2} *om. L* 11 Primo pono *transp. P*, Pono *L* || rationem | relationem *N* || a beato | ab *N* || Augustino | in quodam sermone quem fecit de assumptione ipsius contra johannem *add. N* 12 beata *om. L* 14 suam | ipsius *N*

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4 *Rom.* V 12 11—14 Pseudo-Augustinus, *De assumptione*, *P. L.* 40 1144.

2. Secundo dico quod potuit virtute divina praeservari a peccato originali, et omnes in hoc concordant. Et ratio est quia potentior est Deus in praeservando quam caro in inficiendo, et ideo Deus potuit praevenire infectionem; et in hoc similiter omnes concordant.

3. Tertio ostendo quod de facto fuit praeservata. Primo sic: quidquid N 127*vb* possibile et condecens est Virgini, sibi debet attribui; / modo hoc fuit possibile, ut probatum est; est etiam condecens, quia decuit quod mater Dei esset mundissima: cum enim esset mater gratiae, decuit quod numquam aliqua contraria dispositio ad gratiam misceretur.

Et iterum, Augustinus probat quod corpus suum non est incineratum, quia non decuit; et minus decuit quod peccato originali pollueretur, et credo quod beata Virgo plus optat non pollui peccato originali quam quod corpus suum non fuerit incineratum et magis de hoc gaudet.

Item, secundum omnes sanctos numquam peccavit venialiter, quia non decuit quod pollueretur peccato veniali actuali; et certe maior macula est peccatum originale. Et hoc patet in exemplo sensibili: si corporale ad corpus Christi reponendum cadat in lutum foetidum et corruptum, quamvis optime lavetur et mundetur, numquam tamen esset aptum ad reponendum corpus Christi, immo magis esset abominabile quam ante.

Item, maior gratia fit illi qui non permittitur cadere in lutum quam fiat illi qui permittitur cadere, sed statim sublevetur.

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15 praeservari | conservari *L* 16 est^{1} *mg P* 17 in *om. LN* 18 infectionem | infectiones carnis *N*, infectione carnis *P* || similiter omnes *transp. P*, omnes communiter *N* 19 facto | fuit sic *add. del. P* || Primo *om. P* || sic | sicut *L* || quidquid | quid est *N* 20 est . . . attribui | debet attribui virgini *N*, est virgini, debet sibi attribui *P* || modo | sed *N* 21 est^{2} *om. P*, et *N* 22 Dei | domini *N* || esset^{2} | sit *L* || decuit | decet *N* 23 numquam | antequam *N* || dispositio | dispositione *NP* || misceretur | reficeretur *N* 24 est | fuit *N* 25 pollueretur | inficeretur *N* 27 quod *om. N* 28 quia | quod *l. o. P* 29 peccato | originali *add. L* || veniali actuali | actuali vel veniali *N* || et | hoc *add. L* || maior | est *add. N* 31 corpus . . . cadat | reponendum corpus christi cadat *N*, corpus cadat reponendum *P* 32 lavetur | postea *add. N* 32—33 numquam . . . reponendum | et dicetur episcopo quod ipsum consecraret ad celebrandum et ponendum super illud *N* 33 reponendum | ponendum *l. o. P* || esset *om. P* 33—34 immo . . . ante | si sciret ipsum prius sic pollutum, statim repelleret, quia abominabile esset ipso facto *N* 36 sed | et *L*, si *N*

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24 *Ibid.*

Sed forte dices quod tunc derogatur sanctitati Christi, passioni et redemptioni eius. Dicendum quod non; Christus enim, hoc non obstante, fuit sanctior beata Virgine, quia ampliorem gratiam habuit ex conceptione sua; debuit enim concipi sine peccato, cum fuerit conceptus ex virtute Spiritus Sancti. Similiter perfectius redemit ipsam a peccato quam si cecidisset in peccatum. Nonne Christus redemit beatum Petrum a morte aeterna, et tamen numquam fuit in illa morte? Perfectius ergo redemit quando praeservavit a peccato quam si permitteret cadere in peccatum, et postea emendaret.

Sed quid dicemus nos ad auctoritatem beati Augustini *De fide ad Petrum*, ubi dicit: "Firmissime tene et nullatenus dubites omnes nasci in peccato", ita quod nullum excipit nisi Christum? Certe eadem auctoritate probaretur de nativitate eius quod fuit nata in peccato.

12*vb* Unde sciendum quod duplex est conceptio: una seminis, puta in commixtione seminum; alia hominis quando primo anima unitur corpori, scilicet quadragesima die post conceptionem seminis. Item, peccatum originale dupliciter sumi potest: uno modo pro concubitu libidinoso, qui est in actu generationis; alio modo pro qualitate morbida consequente conceptionem in foetu. Item, contrahi peccatum originale potest intelligi vel de iure semini debito, vel de facto.

Modo per istas distinctiones potest responderi ad omnes auctoritates quae sunt vel esse videntur ad oppositum. Vel enim loquuntur in generali, nullum excipiendo, et tunc exponendae sunt pro pluribus, secundum quod dicitur "omnes declinaverunt, simul inutiles facti sunt": loquitur

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37 sanctitati | sancti *L* 37—38 passioni et redemptioni *transp. L* 38 eius | ipsius *N* || hoc *om. L*, in hoc *P* 39 fuit | adhuc *add. N* 40 sua *om. L* || cum fuerit conceptus | originali quia *N* || ex *mg P* 42 beatum *om. N* 43 a | de *L* || numquam | non *L* || morte | eterna *add. N* 44 praeservavit | preservat *NP* 45 emendaret | mundaret *P* 47 tene | crede *P* || dubites | dubita *NP* 49 fuit | fuerit *P* || nata | natu *L* || peccato | christo *L*, originali *add. N* 50 sciendum | est *add. N* || puta *om. N* 51 alia | est conceptio *add. LP* || quando | homo *add. del. N* || primo anima *transp. N* 52 quadragesima | quarta *P* 53 sumi potest *transp. NP* || concubitu | cubitu *L* 54—55 consequente | consequens *N* 55 contrahi *om. L* 56 semini | semine *N*, sine *P* 57 Modo *om. N* || distinctiones *om. N* || omnes | istas *N* || auctoritates *om. L* 59 excipiendo | experiendo *L*, exequendo *N* || exponendae | exponenda *LP* 60 dicitur | in psalmos *add. N* || simul *om. P* || facti sunt | etc NP

46—48 Potius, Fulgentius, *De fide ad Petrum* 26, *P. L.* 65 701. 50—56 Cf. Aureoli, *Tractatus de Immaculata Conceptione*, edit. Quaracchi 1904, 35—48. 60 *Ps* 13 3.

enim ibi de peccato actuali, a quo tamen beata Virgo fuit immunis; vel in speciali de beata Virgine, et tunc vel intelligitur de peccato originali quod est in concubitu parentum, et certum est quod beata Virgo fuit concepta in tali concubitu libidinoso, et isto modo potest exponi auctoritas beati Augustini, et isto modo etiam loquitur beatus Bernardus *Ad Lugdunenses;* vel loquuntur de iure, quia ex iure et debito contraxisset N 128*ra* peccatum / originale, nisi fuisset praeservata, et hoc est quod aliqui dicunt quod contradixit peccatum originale causaliter et virtualiter, non autem formaliter.

4. Quarto patet quod de conceptione eius potest fieri festum. Si enim loquamur de conceptione hominis, quae fuit quando animata fuit caro, certum est quod tunc non fuit ibi peccatum originale contractum, ut dictum est. Si autem loquamur de conceptione seminis, sic etiam potest celebrari, non de actu libidinoso parentum, sed primo ratione materiae ministratae, scilicet ratione seminis, quia ista erat ordinata ad sanctificationem et sanctitatem; secundo ratione miraculorum ibi factorum, quia ibi a sterilibus fuit materia foecunda seminata et decisa, eo modo quo facimus festum de liberatione Petri a vinculis; tertio ratione etiam L 11*vb* utilitatis / quam consecuti sumus per ipsam conceptionem, illo modo quo facimus festum de cathedra sancti Petri propter utilitatem quam consecuta est Ecclesia per doctrinam suam. Et ideo, istis et aliis multis de causis, potest de conceptione seminis fieri festum. Et istud festum,

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61 enim *om. N* || actuali | originali *P*, originali actuali *L* || tamen *om. P* || fuit *om. P* 62 de | a *P* 64 isto modo | secundum hoc *N* 64—65 auctoritas beati Augustini | Augustinus prius inducta *N* 65 etiam *om. L* 66 Ad Lugdunenses | de ludis *L*, ad iudeos *P* || loquuntur | loquitur *LP* || iure^1 | quod de iure quod *L* 67 quod | quia *N* 71 enim *om. P* || quae | qui *L* || quando animata | conservata *P* 72 non fuit ibi peccatum | non fuit peccatum ibi *L*, ibi non fuit peccatum *P* 73 de | a *N* || seminis | hominis *N*, et *add. P* 73—74 etiam potest *transp. LN* 74 actu | actuali *P* || parentum | parente *L* 75 ista | ipsa 76 sanctificationem | seminis *add. L* || secundo | materie *N* || ratione | etiam *add. N* 77 ibi a sterilibus | a similibus *N* || decisa | de asa *P* 77—78 eo . . . tertio | sicut ergo fit festum in ecclesia de vinculis petri, quando fuit liberatus, sic in proposito est dicendum *N* 78 etiam *om. L*, et *N* 79—80 illo . . . facimus | aliquo *(del.)* modo isto quo facimus *L*, sicut enim fit *N* 80—81 propter . . . suam | non quia cathedra habeat sanctitatem, sed quia per doctrinam petri in cathedra ecclesia utilitatem est consecuta, sic ecclesia utilis per conceptionem ipsius *N* 81 et^2 *om. P* 82 de causis | modis *N* || de . . . festum | fieri festum de conceptione seminis *N* || istud | illud *P* 82—83 Et . . . seminis | et sic fit in ecclesia festum de ista conceptione *N*

64—65 Cf. notul. ad lineas 46—48. 65—66 *Epist. 174, P. L.* 182 332 seq.

quod a pluribus celebratur, fit de conceptione seminis, non de conceptione hominis quae fuit post forte quadraginta diebus, sicut fit in feminis.

III. Ad argumentum dicendum quod omnes in Adam causaliter peccaverunt et de iure, non formaliter nec de facto, vel 'omnes peccaverunt' lege 'quamplurimi', sicut dictum est "omnes declinaverunt, simul inutiles facti sunt", ita quod fit distributio accomoda sicut frequenter fit in sacra Scriptura.

[Quaestio Secunda]

LP	N
I. Utrum, si beata Virgo Maria concepta fuisset in peccato originali, potuisset sanctificari in eodem instanti in quo conceptu fuit.	I. Utrum, si beata Virgo fuisset concepta in originali, fuisset sanctificata in instanti conceptionis suae.
1. Videtur quod sic, quia quies et motus possunt fieri simul in eodem instanti respectu diversorum agentium, ut patet de faba ascendente contra motum molae descendentis; in instanti enim in quo obviant sibi, movetur quieta faba deorsum mola, quia aliter mola quiesceret, et quiescit etiam quia inter motus contrarios et reflexos est necessario quies media. Ergo a simili, culpa et gratia potuerunt simul esse in Maria.	1. Quod sic, quia quies et actus possunt simul esse in eodem instanti respectu diversorum agentium, sicut patet in faba ascendenti, mota a mola descendente. Ergo simul sunt quies et motus; ergo culpa et gratia in Maria.

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83 de^{1} \| eius *add. P* \|\| non *om. L* 84 quadraginta diebus *transp. L* \|\| fit \| fuit *L* 85—86 causaliter peccaverunt *transp. N*, peccaverunt *om. P* 86 non \| nec *L* \|\| facto \| peccaverunt *add. L* 86—87 omnes peccaverunt \| omnem *N* 87 lege \| id est *P*, in *N* \|\| quamplurimi \| plurimi *N* 88 simul . . . sunt *om. N*, inutiles *tantum P* \|\| fit \| sit *L* 88—89 frequenter fit *transp. N*

2 Virgo^{1} *om. P* 3 concepta fuisset *transp. P* 8 fieri simul *transp. P* 12—13 enim . . obviant \| in quo enim obviat *L* 13 movetur quieta \| mota *P* 14 deorsum \| contra *add. P* 14—15 aliter mola \| alio in casu *P* 16 quia *om. P* 19 Maria \| instanta *L*

85—86 Cf. *Rom.* V 12. 87—88 *Ps* 13 3.

7—19 Henricus Gandav., *Quodlibet* XV 13, edit. Paris. 1518, fol. 585*v*.

2. Contra, privative opposita sic repugnant, quod impossibile est illa simul esse.	2. Contra, privative opposita repugnant; sed impossibile est esse simul illa quae repugnant; ergo etc.
II. Respondeo. Pono duas rationes.	II. Respondeo. Hic pono duas propositiones.
1. Prima, quod si beata Virgo fuit concepta in originali peccato, impossibile fuit quod sanctificata fuerit primo in eodem instanti suae conceptionis; contra opinionem illius Doctoris, qui dicit oppositum, distinguens instans in duo signa, ratione quorum opposita possunt stare simul in eodem instanti. Et hoc declaratur quia ubi est prius et posterius, ibi P 12*vb* tollitur contradictio; sed in / eodem instanti possunt esse prius et posterius natura. Igitur si prius et posterius simul tollunt contradictionem, in eodem instanti contradictoria sunt simul.	1. Prima est haec quod, si fuisset concepta in originali, impossibile fuisset quod fuisset sanctificata in eodem instanti. Hoc pono per oppositum illius qui ponit quod 'in instanti' distinguitur in duo signa naturae, ratione quorum opposita possunt esse simul. Hoc declaratur quia ubi est prius et posterius, ibi tollitur contradictio. Sed in eodem instanti possunt esse prius et posterius natura. Ergo si prius et posterius simul tollunt contradictionem, ergo in eodem instanti contradictoria sunt simul.
Confirmatur, quia in generatione, ubi corrumpitur forma aliqua, aut est in eodem instanti cum alia et sic habetur propositum, et oportet quod sit in eodem instanti, quia dum est corrumpitur.	Confirmatur, quia in generatione ubi, corrumpitur aliqua forma, aut est in eodem instanti cum alio, et sic habetur propositum; et quod sit in eodem instanti, quia dum est corrumpitur.
Item, confirmatur quia agens per se non corrumpit. Ergo forma generanda potest simul esse cum	Item, confirmatur quia agens non per se corrumpit. Ergo forma generanda potest simul esse cum

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20—21 opposita sic \| oppositas ille *P* 23—25 Pono . . . Prima *om. P* 25 Virgo \| Maria *add. L* 27 fuit \| fuerit *P* 28 primo *om. P* \|\| instanti \| et eodem *add. L* 29—30 opinionem \| propositionem *L* 31 oppositum \| opinionem *L* 32 ratione *rep. L* 34 quia *om. P* 36 contradictio sed *om. L* 37 possunt *om. L* 38 Igitur \| ergo *P* 42—43 generatione^{1} \| augmentatione *P* 46 sit^{1} \| fuit *L* 47 quia \| nihil *add. P* 48 quia^{1} \| quod *L* 50 generanda^{1} \| generativa *L*, augmentanda *P*

28—69 *Ibid.*

corrupta, et sic est de gratia et culpa. Et sic beata Virgo fuit sub originali in transitu, quia prius vere fuit sub culpa et posterius vera fuit sub gratia, et tamen in eodem instanti durationis; modo ista prius et posterius facta in eodem instanti tollunt contradictionem.

Et confirmatur, quia in generatione aut in eodem instanti generatur forma inducenda et corrumpitur prior forma, et habetur intentum; vel in alio, et tunc oportet esse ibi tempus medium, quod est impossibile. Et sic videtur quod beata Virgo fuit sub culpa in quodam transitu, et potuit simul esse culpa cum gratia.

Non credo quod Doctor iste sensit quod contradictoria simul possunt esse, sed vocavit existentiam culpae quasi obligationem, 128*rb* quae de iure et ex lege humanae naturae in illo instanti fuisset, nisi praeventa fuisset; non tamen beata Virgo contraxit peccatum originale, quia praeventa fuit per sanctificationem in eodem instanti in quo obligata erat ad contrahendum peccatum originale. Si autem intendit sicut verba sonant, non videtur hoc possibile, ut alia po-

corrupta; sic est de gratia et culpa. Et sic beata Virgo fuit sub originali in transitu.

Non credo quod ille Doctor sensit quod contradictoria essent in eodem instanti, sed vocavit existentiam culpae, quae de iure et ex / ordinatione naturae fuisset in instanti illo, nisi fuisset praeventa; tamen sicut verba sonant videtur contradictio; sed impossibile est quod in eodem instanti sint simul contradictoria, nec in eodem instanti sunt plura signa, quia instans non est nisi signum durationis, et sic divideretur signum in signa. Posito etiam quod

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51 et[1] *om.* *P* 53 transitu[1] | prius *add. del.* *L* 57 facta | vera *P* 63—64 intentum | propositum *P* 65 esse ibi *transp.* *L* 67 beata . . . sub *om.* *P* 68 et *om.* *P* 69 culpa *om.* *P* 70 Doctor iste | ille doctor *P* 72 vocavit[1-2] | in *add.* *PN* 74 quae *om.* *P* || ex[1] *om.* *P* 75—76 in . . . tamen[1] | quae *P* 77 contraxit | contraxisset *P* 78 quia | cum *P* 82 intendit | intellexerit *P* 83 alia *vacat* *L*, alio *P* 83—84 positio | posita *P*

sitio dicit; et hoc est quia haec includit contradictionem apertam. Nec tollitur per istam distinctionem quam ponit de instanti, tum quia instans est signum durationis et ideo non licet ibi signare plura signa, quia signum non dividitur in signum; tum quia hac duratione posita, nihil facit ad propositum: prius enim et posterius natura non tollit contradictionem, quia simultas durationis quae fiat cum priori et posteriori vere est illa quae vere facit contradictionem, dato quod sit ibi simultas vera. Et ratio est quia prius et posterius natura non sunt prius et posterius in quo, sed secundum subiectum aut instans temporis est prius [et posterius] in quo, et ideo illa distinctio nullum facit ad propositum.

Item, quae non repugnant sibi ut sibi in eodem instanti diversa signa naturae ibi signatae, pro toto tempore non repugnant; consequenter pro aliquo instanti in toto tempore sapiunt. Et sic semper gratia et culpa possent simul stare in eodem, quod falsum est. Et sic patet quod ratio istorum non valet.

sit prius et posterius natura, non tollit contradictionem, quia simultas imponit contradictionem, saltem solum refertur ad simultatem patris, sicut patet in definitione elenchi. Unde cum sit simul idem instans, ergo esset simultas contradictionis.

Item, quae non repugnant sibi pro instanti eodem propter diversa signa naturae, pro toto tempore non repugnant, quia signabo in toto tempore, et sic pro tempore magno in eodem instanti est ibi culpa et post gratia. Unde, quando non repugnant sibi in eodem instanti dum sunt, numquam repugnant sibi.

Praeterea, prius et posterius natura non sunt prius et posterius in quo, sed alio modo; sed solum

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84 est *om.* *P* 86 Nec | non *L* 88—89 signum . . . ideo | durationis signum *L* 91 tum | tamen *P* 92 propositum | proposita *L* 93 posterius | enim *add.* *L* 95 fiat | fuit *L* 96 vere^{1} | vera *P* || illa | isti *L* 97 quod | non *add.* *L* 98 vera | vere *L* 101 secundum | in animam *L* 106 ut sibi *om.* *P* || instanti^{1} *mg* *P* 107 signatae | signando *P* 110 sapiunt | non sequenti *P* 113 istorum | illarum *L* 114 valet | videt *LP*

instans temporis est prius in quo. Ad rationem quod prius et posterius tollunt contradictionem: verum est in quo ut est instans temporis, sed illa prioritas non, si est prioritas ex qua vel dignitatis.

Ad confirmationes patet per Aristotelem VIII *Physicorum* quod forma non est in instanti in quo corrumpitur, sed alia quae generatur est in illo; / 2va et tamen non est dare tempus medium, quia in toto tempore priori illud quod se tenet ex parte formae generatae fuit forma quae corrumpitur.

Ad aliud, Aristoteles dicit expresse quod in illo ipso instanti poss . . . posterioris temporis, et dico quod in instanti in quo corrumpitur non est.

2. Secunda propositio est quod impossibile fuit si beata Maria fuit concepta in originali, quod fuerit solum per instans in originali, supposito quod gratia infunderetur in tempore; sed si infundatur in instanti, non est possibile; et sic ista propositio mediat inter opinionem quae dicit quod hoc fuit impossibile, dato quod gratia infundatur in instanti, et illam quae dicit quod non fuit simpliciter possibile. Quod autem non fuerit possibile, supposito quod gratia infunderetur in instanti, patet per hoc quod in eodem instanti in quo fuit peccatum, non potest infundi gratia. Supposito enim quod peccatum originale deletur per infusionem gratiae, et quod illa duo sunt incomponibilia in eodem simul, nec in alio et alio instanti, quia inter duo instantia est dare tempus medium, vel instans consequenter se habebit ad instans, quod est impossibile. Quod

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125 confirmationes | confirmationem *LP* 126 VIII Physicorum | 4 *add. P*, 4 physicorum *L* || quod^{1} | quia *P* || 127 in *om. P* || poss . . . | possm(?) *N* 128 corrumpitur concipitur *L*, cognoscitur *P* 129 est^{1} | et *P* 131 priori | precedenti *P* || illud | instans *add. P* 134 est *om. P* || impossibile | possibile *N* 135 fuerit | fuit *L* 136 infunderetur | fundet *L* || tempore | instanti temporis *P* 137 possibile | impossibile *P* || ista | illa *P* || propositio | opinio *N* 139 illam | illa *N* 140 infunderetur | fundatur *L* 141 per *om. L* || quod | quia *N* || non *om. LN* 142 gratia *om. P*, gratiam *N* 143 illa | ista *L* || eodem | sunt *add. N* 144 et alio *om. NP* || instantia | instantes *P* || vel | quod *N* 145 consequenter | sequenter *P*

125—133 *Iuntina* IV text. 64—65, fol. 183*vb* et 184*va*.

autem possibile fuerit si gratia infundatur in tempore, sicut possibile est quia habet latitudinem, patet quia instans illud sub quo fuit sub peccato originali est terminus temporis sequentis, et sic in illo instanti fuit sub peccato, et in toto tempore sequenti non fuit sub illo peccato, sed in gratia.

P 15*ra* Et si dicatur quod non est possibile quod aliquid duret solum per instans, dico quod falsum est, sicut patet in generatione luminis in aere; habebit ergo non esse in toto tempore sequenti primum instans.

III. Ad argumentum dicendum quod faba ascendens contra molam et iterum descendens cum ipsa mola non quiescit. Quod autem dicit Aristoteles quod inter motus oppositos oportet dare quietem mediam, verum est quando mota moveretur per se; sed si mobile moveatur per accidens, non oportet, immo aliquid potest simul moveri motibus contrariis, ita quod uno per se et alio per accidens, ut patet de formica quae movetur contra motum rotae in qua est.

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147 latitudinem | ut *add. N* || quia^2 | quod *P* 148 peccato | posito *l. o. P* || temporis *om. L* || in | de *P* 149 peccato^1 | posito *l. o. P* || sequenti *om. LP* 151 quod^1 *om. N* || aliquid | aliquis *LP* 152 patet *om. L* || in^1 | mutatis esse et in *add. L*, unitatis esse et *add. P* 153 aere | et *add. P*, et *ac spatium liberum fere* 12 *litt. add. N* || esse | possibile *add. P* || tempore | non fuit sub illo peccato, sed in gratia. Et si dicatur quod non est possibile quod aliquis duret solum per instans *add. del. L* || primum instans *transp. P* 155 mola *om. L* || autem *om. L* 156 quietem | quietam *P* 157 moveretur | moventur *LN* 158 motibus | gravis *add. L* 158—159 motibus contrariis *transp. N* 160 rotae *om. L*

THE DEVELOPMENT OF THE DOCTRINE ON THE IMMACULATE CONCEPTION IN THE FOURTEENTH CENTURY AFTER AUREOLI

To trace the influence of a Scholastic on his contemporaries and successors is not always easy[1]. In the absence of direct use or references, one must seek, examine and weigh parallel or identical quotations from authorities, similarity of verbal expression or argumentation, the general trend of thought, as well as such external factors as the number of known manuscripts.

A complete survey of all possible sources is thus required for a definitive statement of the influence of Aureoli. Yet the general impression made by both the small number of manuscripts and an examination of available texts of contemporaries is that the *Tractatus* of Peter Aureoli was either unknown to many Scholastics of the first half of the fourteenth century or simply, though inexplicably, neglected. That Peter was opposed to Scotus on many points of doctrine would hardly seem reason enough for the latter's disciples to have neglected Aureoli's important contribution to Mariology and the defence of the Immaculate Conception.

A possible exception at Paris is Hugh of Newcastle *(infra)*; a positive exception at Oxford is Walter of Chatton: *quaere librum Aureoli*, unless this refers to a redaction of his *Sentences*. Some later theologians and preachers, on the other hand, seem to have made good use of the Tract and the *Repercussorium*. Thus, a certain Bernardus de Deo, guardian at Lerida in Spain, in his *Summa praedicabilium* expressly holds the Immaculate Conception on the authority of Master *Johannes Scoti*, *Garro* (William of Ware), Master *Hugo* and other masters at Paris. Then, after citing what appears to be mainly the thought of Hugo, he writes: "This doctrine is also held by Friar Peter Aureoli, an outstanding doctor in the Order of Friars Minor, as is evident from the *Tractatus* which he composed on this matter and which, to the honor of the Virgin, we have inserted in our *Breviloquium historiale*[2]." Later, in 1373, the Scottish Friar Thomas de Rossy makes use of the argument from the Assumption in his own *Quaestio de conceptione Virginis Immaculatae*[3]. The Tract likewise so appealed to the Carmelite Mathurin Clement (dean of theology at Paris in 1451) that he incorporated it into his own *De Conceptione B. M. V.*[4] Outstanding also is the work of Bartholomaeus Albizzi de Pisis, O. F. M. († 1401), doctor of theology and preacher, whose *De vita et laudibus B. M. V.* (1380) relies heavily on Aureoli, who is expressly named with Duns Scotus and Landulphus Carracciolo. The whole exposé of original justice, original sin, conception, contraction *de iure* and *de facto*, as well as many of the arguments, authorities, dubia, are drawn from this source: *vide in tractatu P. Aureoli de Conceptione;* though the arrangement is changed considerably[5].

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[1] This is a revised and abbreviated version of a paper given at the National Franciscan Marian Congress (Santa Barbara, Calif., May 5, 1954). The original will appear in the Proceedings of the Congress (St. Anthony's Guild, Paterson, 1955).

For a thorough use and development of Aureoli's doctrine, however, we must look to Spain, for the *Liber de originali Virginis innocentia* of Fra Petrus Thomae will prove as equally valuable as the *Tractatus*. Unfortunately, this work does not seem to have been well known beyond the confines of Spain (where Petrus Thomae was lector at the Studium of Barcelona), though a copy was sent to Avignon for the approval of Pope John XXII. Had either the *Tractatus* or the *Liber* been in the hands of the Parisian Scholastics, the latter would have effected nos doubt a greater development of doctrine. As it is, the Tract finds it flowering in the work of Petrus Thomae, while the latter is used only toward the end of the century by another Spaniard, John Vitalis.

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[2] Cf. E. Longpré, O. F. M., "Fr. Bernard de Deo, O. F. M. (1318) et l'Immaculée Conception", *Archivum Franciscanum Historicum*, XXVI (1933), 247—49. The date assigned by Fr. Longpré seems entirely too early in view of the text: ut volunt multi doctores, de quorum numero est magister Johannes Scoti, Garro, magister Hugo et *communiter* alii doctores in theologia Parisius.

[3] Cf. C. Piana, O. F. M., "Contributo allo studio della teologia e della leggenda dell' Assunzione della Vergine nel secolo XIV", *Studi Francescani*, XLI (1944), 103, n. 4; the text of de Rossy's question *De conceptione* is published in the most recent volume of the Bibliotheca Franciscana Scholastica Medii Aevi.

[4] Cf. A. Teetaert, art. "Pierre Auriol ou Oriol", *Dict. de théol. cath.*, XII, col. 1824.

[5] *Bartholomaei de Pisis ex ord. Min. . . . De vita et laudibus B. M. V. Libri sex* (Venetiis 1596), pp. 95—128; see pp. 99—100, and 123, for express reference to Aureoli. This author is not to be confused with the Bartholomew of Pisa who wrote (1385—90) the *Liber Conformitatum* or *De conformitate vitae beati Francisci ad vitam Domini Iesu* (in *Analecta Franciscana, tom.* IV—V).

I. The *Liber de Originali Virginis Innocentia.*

Since the *Liber* is dependent on the *Tractatus* (1315) and was submitted to John XXII, it could not have been written before 1316. On the other hand, its dedication to Prince John, son of James II of Aragon, would imply that it was written before the latter's death (1327); while reference to John as an ecclesiastic would seem to show it must be dated more precisely as after 1320[6].

Of its author very little is known. Born about 1280, probably in Catalonia, Petrus Thomae may have been a student at Paris, though hardly under the direct tutelage of Duns Scotus. His literary activity seems confined to Barcelona between 1315 and 1330. It is possible (though no one has advanced this suggestion) that he made his studies at Toulouse, and thus would have had direct contact with Peter Aureoli and knowledge of the writings of Duns Scotus[7].

His *Liber* follows the same pattern as the *Tractatus* of Aureoli, stating first the authorities and reasons advanced against the Immaculate Conception and explaining the doctrine of original sin (Book I, parts I—III); then the positive arguments: God could preserve the Blessed Virgin from original sin; it was fitting; therefore God so privileged her (II, i-iii). At this point, however, the author introduces three completely new sections, to demonstrate that the doctrine agrees with Sacred Scripture and the Fathers, and is confirmed by several historical (and legendary) factors (iv-vi). The third book offers a systematic answer to objections raised against the teaching.

Throughout, one feels the influence of Aureoli, though the book shows much originality. The author has somewhat of an opinion of his own on original sin, develops new arguments to show that God could preserve Our Lady from such sin, and elaborates many reasons for the fitness thereof: *decet honorem Dei Patris . . . Dei Filii . . . Dei Spiritus Sancti . . . mysterii reverentiam Incarnationis . . . ex parte totius generis humani* (II, ii). On the other hand, the reasoning for the fact of the Immaculate Conception is definitely drawn from Aureoli (*ex sufficientia redemptionis:* II, iii, 2) and Duns Scotus (*ex sufficientia mediatoris:* ibid., 3). The most original sections, which mark a distinct advance in doctrine, are those which seek to find a basis for it in Holy Scripture and in Tradition; and lastly, those which answer objections of all kinds.

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[6] For the printed text of the *Liber*, cf. P. Alva y Astorga, O. F. M. Obs., *Monumenta antiqua seraphica*, pp. 212—272. In addition, we have used the ms. *Vat. Lat.* 1288, fol. 15v—52r. See also the analysis of P. Antonius Braña Arrese, O. F. M., *De Immaculata Conceptione B. V. M. secundum theologos hispanicos saeculi XIV* [Bibl. Immac. Conc.: I] (Romae 1950), passim. The dedicatory epistle begins: Regalis celsitudinis inclytissimae proli Domino Infanti Iohanni, Serenissimi principis Domini Iacobi Regis Aragonum filio, frater Petrus Thomae lector fratrum minorum in conventu Barchinone . . . Deus . . . de medio fratrum Vestrorum eligens Ecclesiam suam insignitus decoravit . . . — On Prince John, who became Archbishop of Toledo in late 1319 and was consecrated in 1320 (at the age of nineteen), cf. A. Lambert, art. "Aragon y Anjou (Juan de)", *Dict. de hist. et géogr. eccl.*, III, 1408—14.

[7] What little is known of Petrus Thomae is summarized by P. Marti de Barcelona, O. F. M. Cap., "Fra Pere Tomas (XIV), Doctor strenuus et invincibilis", *Estudis Franciscans,* XXXIX (1927), 90—103.

The Basis in Sacred Scripture

Of the few Scholastics who before Petrus Thomae had defended the Immaculate Conception none made any attempt to go beyond theological reasoning in their argumentation, while their use of the Scriptures hardly surpassed a negative defense whereby they showed that the texts alleged by opponents did not necessarily conclude that Mary contracted original sin. Our author must be credited therefore with the first earnest effort to find positive support for the doctrine in the pages of Holy Writ[8]. The result was singularly happy, for many of the texts he chose have since been used by theologians and indeed by the Church. This is, perhaps, the more remarkable since the full breadth of Patristic tradition on such texts was not known to him.

At the same time Peter was careful to establish a principle which has since stood the test of time: that, though there is no express authority in the whole of Scriptures for either side of this problem, one can adduce many passages that would lead us to the positive view and by adaption at least give definite support to the truth we propose[9]. Admittedly, many of these texts are applied to Our Lady only by accomodation: *manuductiones quae videntur adaptari congrue posse.* Lest he therefore fall into the danger of unsound accomodation and useless exaggeration, Peter chooses to use only those texts which the Fathers have applied to Mary and particularly which the Roman Church "reads" (in Mass and Office) in honor of the Virgin. Thus used, the whole of Sacred Scripture can be said to proclaim Mary as Immaculate: *tota Scriptura sane intellecta clamat Beatam Virginem innocentissimam.*

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[8] Cf. A. Braña Arrese, *op. cit.*, pp. 48 ff., who points out that the twelfth century had seen some attempts in this direction.

[9] *Liber* I, iii, 4 (*ed. cit.*, p. 222a; *ms. cit.*, f. 21rb): Cum autem quaeritur utrum beata Virgo fuerit concepta in originali peccato, est sciendum primo quod istud problema demonstrative determinari non potest per Scripturam Canonis, quia de conceptione Virginis in tota Biblia expressa auctoritas non habetur. — More clearly, Book II, IV, 1 (p. 240b; f. 32vb): Quamvis in canone Scripturae Sacrae de conceptione Virginis, vel utrum ipsa peccatum originale contraxit vel non contraxit, expressa non inveniatur auctoritas, tamen adduci possunt aliquae manuductiones de multis ad aliquod devotorum Virginis solatium, pauca sumendo quae videntur adaptari congrue posse propositae veritati.

Thus among texts of greater moment, Peter points out that the Proto-evangelium of Genesis would (in the Vulgate) show Our Lady as conquering Satan because through her all sin was to be wiped out; therefore she had not even the beginning of sin in her conception[10]. In Genesis likewise the ark of Noe is a figure of Mary, for she too was ordained for the salvation of the human race, was covered with the pitch of grace inside and out, and floated above the waters of the universal deluge of sin (II, iv, 1). The same type of argument is taken from the ark of the covenant: Mary was to contain not the Law but God Himself: she was also made therefore of incorruptible "wood" (II, iv, 2). Here and in the spiritual interpretation given to the temple (*ibid.*, 5), the divine maternity provides the key to the figures used.

More important are the verses from the Psalms and the Sapiential Books which the Church applies to Mary. Thus the Psalms of the Office of Our Lady: *In sole posuit tabernaculum suum . . . Sanctificavit tabernaculum suum Altissimus . . . Benedixisti, Domine, terram tuam . . . Fundamenta eius in montibus sanctis (ibid., 3)*. That again the Church should read the words of Wisdom on the feast of Mary's Nativity (and now, we should add, in the Mass of December 8) would show, Peter argues, that they apply *mutatis mutandis* to Our Lady: "The Lord possessed me in the beginning of His ways . . . The depths were not yet, and I was already conceived" (Prov. 8, 22—24). The text, he admits, speaks primarily of uncreated Wisdom, yet because of the usage of the Church we may say Mary also was possessed in the beginning, that is, in the instant of her Conception[11]. An even more weighty argument is drawn from Ecclesiasticus: "I came out of the mouth of the Most

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[10] *Liber* II, ii, 6 (p. 232b; f. 27va): Decens videtur ut illa persona per quam est omne peccatum abolitum non habet peccati principium. Sed per beatam Virginem est omne peccatum abolitum. Unde serpentem qui Evam decepit Deus maledixit dicens: Ipsa, scilicet Virgo Maria, conteret caput tuum, id est, potentiam tuam; ergo decens videtur quod Virgo nullius peccati habuerit participium. (Note that this text is not given with others taken from Genesis in Book II, iv, 1.)

[11] *Liber* II, iv, 7 (p. 244b; f. 35ra): Haec licet videantur dici ex persona Sapientiae, tamen Ecclesia Romana haec legens in Epistola Beatae Mariae Nativitatis accipit ipsa in persona eiusdem Virginis. Ubi Virgo tria dicit de seipsa: primum quod ipsa est possessa in initio viarum Dei; initium autem viarum Dei ad nos fuit instans conceptionis personae Virginis; in illo enim lux orta est iusto et rectis corde laetitia. Secundum, quod ipsa est ab aeterno praeordinata; tertium, quod ipsa est concepta sine abysso, id est, sine profundo vel tenebris originalibus.

High, the firstborn before all creatures" (24, 5 ff.). Since every creature proceeds from the mouth of God, for "He spoke and they were made" (Ps. 148, 4), the Conception of the Virgin is here spoken of spiritually as coming forth through some special prerogative. But that she should be the "firstborn" does not imply priority of time but of dignity. Hence in her Conception, by the disposition of God, Mary possessed a privilege not granted to any other purely human creature; but since all others are conceived in original sin, her prerogative would seem to be that she did not contract that sin[12].

Lastly, Petrus Thomae turns to the New Testament, to say that the *Ave gratia plena* of the angel and the Magnificat of Mary herself suggest to the devout mind, without being absolutely conclusive, that the Blessed Virgin possessed such grace as to have been untouched by original sin[13]. Thus, in the Magnificat Mary thanks God for all the graces she has received, yet never acknowledges herself a sinner, which she would have done had she been subject to original sin.

Such passages represent the first attempt among the Scholastics to find positive support for the doctrine in the revealed word. Unfortunately, no Scholastic until John Vitalis(c. 1388) was to make use of this material.

The Basis in Tradition

Aureoli supplies Petrus Thomae with texts from Ambrose, pseudo-Jerome, Augustine and pseudo-Augustine; but our author introduces a new development in his chapters on Anselm, Bernard and pseudo-Ildephonse (II, v, 6—9).

All Scholastics defending or denying the Immaculate Conception were familiar, of course, with Saint Anselm's statement that it was fitting that she from whom Christ was to take flesh be graced with a purity than which under God no greater could be thought[14]. Peter quotes this with the remark: "I know not what can be said more clearly on the complete innocence of the Virgin" (II, v, 6). He then cites the interpretation given by Saint Thomas Aquinas. The latter had concluded that it was no proof because such purity belonged only to the God-man and had Mary possessed it she would not have needed redemption. Therefore she had a purity next to that of Christ, but not that of original innocence[15]. This answer, Peter replies (who is here guided by Duns Scotus and Aureoli's solution of this difficulty), fails first of all in the faulty inference it implies: namely, that since such purity belongs to Christ by right *(de iure)* it cannot be conceded to another by privilege. Again, the reason given is not valid, for her preservation was Christ's most perfect act of redemption and mediation. Thirdly, if Mary possessed the greatest purity under Christ, as Aquinas maintains, the opposite of his conclusion should follow: original innocence is the highest under Christ[16]. Lastly, Saint Thomas' interpretation goes beyond the meaning of Saint Anselm[17].

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[12] *Liber* II, iv, 9 (p. 245b; f. 35va): Cum omnis creatura de ore Dei prodeat (ipse enim dixit et facta sunt), oportet quod propter aliquam praerogativam conceptionis Virginis ipsa dicatur specialiter ab ore Dei prodire. Similiter primogenita non est intelligenda propter prioritatem temporis sed dignitatis. Ergo in sua conceptione per Dei dispositionem aliquam praerogativam habuit aliqua alia creatura rationalis . . . Videtur ergo quod Virgo peccatum originale non contraxit.

[13] *Ibid.*, 10 (p. 246b; f. 36rb): Manuduci licet non cogi efficaci consequentia devotus animus potest ad praefatam attribuendam Virgini puritatem si subtiliter et devote consideret tam angelicae salutationis processum quam ipsius Virginis canticum.

[14] *De conceptu virginali*, c. 18 (P. L. 158, 451).

The *Liber* continues with texts from the *Meditationes* of Saint Anselm hitherto unused in this question; and then devotes a chapter to the *Sermo de Conceptione* which is here attributed to the holy Doctor[18]. Our author seems to be the first Franciscan to use this work.

To answer the authority of Saint Bernard, "who was most devoted to the Virgin" (I, i, 3), was always difficult for the Scholastic defenders of Mary's privilege. Petrus Thomae considers both the Letter to the Canons of Lyons and the Sermon on the Assumption in which Bernard had opposed the new feast of the Conception, but attempts first to establish that one may derive the Immaculate Conception from the words of Saint Bernard: *ex verbis eius potest persuaderi propositum nostrum* (II, v, 8). For exemple: the pious sense of the faithful according to Saint Bernard considers the excellence of Mary so great as to be beyond human description. But to have no sin is more excellent than to have had some sin. Therefore it is more in keeping with this pious assertion of the faithful to hold that Mary had no sin whatsoever. Whatever was the mind of Saint Bernard, his words bespeak the original innocence of the Virgin[19].

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[15] St. Thomas, *Sent.* III, d. 3, q. 1, a. 1, quaest. 2, ad 3 (ed. Parma, tom. VII, p. 38b).

[16] *Liber* II, v, 6 (p. 251a; f. 38vb): Ex ipsa (responsione) oppositum sequitur. Arguam enim sic: maximam sub illa puritate quae soli Deo homini de iure debetur Virgo debuit habere secundum ipsum. Sed puritas originalis ex privilegio est maxima sub illa originali puritati quae soli Deo homini de iure debetur; altiori enim gradu habet originalem puritatem qui eam habet a se et de iure quam qui habet eam ab alio et ex privilegio.

[17] *Ibid.*: Quarto deficit in auctoritatis corruptione; intendit enim auctoritas attribuere Virgini summam puritatem quae intelligi sine repugnantia potest.

[18] *Liber* II, v, 7 (p. 251b; f. 39ra): Praefatus venerabilis ac fide dignus Anselmus, originalis innocentiae Virginis zelator praecipuus, sermonem praeclarum de Virginis conceptione . . . composuit. — This is the *De conceptione* now acknowledged the work of Eadmer (P. L. 159, 301—319; and the critical edition of Thurston-Slater, *Eadmerus De conceptione sanctae Mariae*, Freiburg, 1904).

But what of the mind of Bernard as he opposed the feast? Some try to discard the authority by citing the apparition in which Bernard repudiated his opposition[20]. Others, like Aureoli[21], labor in vain to reconcile Bernard and Anselm. Our author chooses rather to see the mind of Bernard as opposed, and dares therefore to offset the authority of Saint Bernard by that of Saint Anselm and other Saints. He suggests that as God did not reveal Himself completely to Abraham, Isaac and Jacob, and concealed things from Moses which He revealed to the prophets, in like manner that the Mother of God did not reveal all her secrets to Bernard is not unbecoming, especially since his famous Letter does not say that he sought divine guidance but reveals rather that he relied on human reason in passing judgment[22].

Lastly, Petrus Thomae offers a text which no other Scholastic seems to have used or known, a proof that the *Liber* itself was not well known. Not until the fifteenth century do we find citations of the text here given from "Saint Ildephonse of Toledo, a most devout client of Mary to whom she sent a chasuble from heaven and who wrote a beautiful work on her virginiy"[23]. The citation, however, is from *De partu Virginis* attributed now to a later author, probably Paschasius Radbertus († c. 860). It is a clear statement that Our Lady was in no way subject to sin at birth and that as sanctified in the womb she had not contracted original sin[24].

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[19] *Liber* II, v, 8 (p. 253b; f. 40rb, badly corrupted): Quidquid igitur fuit de mente Bernardi, verba sua magis redolent condecentiam originalis innocentiae Virginis quam originalis labis aerumnam.

[20] *Liber* II, vi, 2 (p. 255a; f. 41ra). The first appearance of this story seems to be in a letter of the monk Nicholas of St. Alban to Peter Cellensis (P. L. 202, 623). Bernard is supposed to have appeared to a monk of Clairvaux with a spot on his breast (or, as a variant, on his forehead), the result he confesses of his opposition to the Immaculate Conception.

[21] P. Aureoli, *Tractatus de Conceptione*, c. 4; in (L. Lemmens, O.F.M., ed.) *Fr. Guil. Guarrae, Fr. Ioan. D. Scoti, Fr. Petri Aureoli Quaestiones Disputatae de Immaculata Conceptione B. M. V.* (Ad Cl. Aquas, 1904), pp. 69—70. See P. Thomae, *Liber* III, 10 (p. 264b; f. 46va): Ad Bernardum: quamvis aliqui conentur ipsum et Anselmum ad concordiam reducere, videtur mihi tamen salva ipsorum reverentia quod in vanum laborant. Nam Bernardus nititur omnino probare quod Virgo in peccato fuit concepta. Sed auctoritatem Anselmi et aliorum Sanctorum audeo Bernardi auctoritati praeferre, et maxime cum ipse ut dicunt aliqui videatur haec retractasse post mortem.

[22] *Liber, loc. cit.*(p. 265a; f. 46vb): Abraham fuit multum familiaris Deo et intimus eius secretarius . . . Similiter Moyses fuit intimus secretarius Dei et tamen multa Deus ostendit postea prophetis aliquibus quae forte non indicavit (Abrahae et) Moysi. Dicendum ergo quod nullum inconveniens est quod Mater Dei non revelaverit omnia secreta sua Bernardo, maxime cum non legitur quod ipse certificari petierit per divinum oraculum de hoc facto sed humanae potius rationi videatur inniti.

How to Answer Contrary Authorities

In the third book of the *Liber de originali Virginis innocentia* our author answers the authorities advanced against the doctrine[25]. We may here note simply that he proposes an "expeditious and compendious method" of achieving a sound understanding of such authorities and solving the difficulties they present. Every authentic proposition may be reduced to one of three classes: it either makes exception for an individual *(singulariter exceptiva)* or includes all in a general way *(universaliter distributiva)* or expressly mentions one person *(personaliter expressiva)*. An example of the first: one which states that Christ alone is without sin; of the second: we were by nature children of wrath; of the last: that Mary was conceived in original sin. To answer each we may set up certain rules[26].

The first rule: In every proposition which exempts Christ from sin the Virgin Mother is likewise to be understood as exempt. Such a broad and apodictic rule finds its basis in pseudo-Augustine's Sermon on the Assumption, wherein the close relationship between Christ and His Mother is used to prove that Mary suffered no bodily corruption; the same relationship avails equally for the original innocence of the Mother of God (c. 2). The second rule follows from this: No universal proposition which supposes or predicates sin of mankind can include the Virgin since no such proposition includes Christ as man. Moreover, the same Sermon states that Mary is rightly exempted from certain general rules because of her great grace and dignity as the Mother of God. Thirdly as a consequence of the two foregoing: Every proposition in which sin is attributed to Mary is to be understood only as attributing it to her causally (not formally) or according to common law (abstracting from her privileged position) or *ex se* (she would have it by possessing human nature). Lastly: Any proposition that affirms that Mary was purged or cleansed is to be understood of a contagion or stain which would have been present had she not been preserved (c. 3—5).

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[23] *Liber* II. v, 9 (p. 254a; f. 40va); cf. St. Ildephonse, *De virginitate perpetua sanctae Mariae* (P. L. 96, 53—110); and G. Bareille, art. "Ildefonse, saint", DTC, VII, 739—43.

[24] *Liber, loc. cit.:* Sic dicit: Beata Virgo Maria nisi de utero matris sanctificata esset minime eius Nativitas colenda esset. Nunc autem quia auctoritate totius Ecclesiae veneratur, constat eam ab omni peccato originali immunem fuisse . . . Nullis ergo quando nata est delictus subiacuit nec originale peccatum in utero sanctificata contraxit. — In the original (P. L. 96, 211), the last sentence precedes the other two.

[25] We have omitted Book II, part VI, in which perhaps not too happily the author has recourse to apocryphal legends and revelations, but in which also (with Aureoli) he makes appeal to the feast as celebrated and preached especially at Paris and Oxford, *ubi maxime viget studium fidei orthodoxae* (II, vi, 3; p. 255a; f. 41ra).

[26] *Liber* III, 1 (p. 259a; f. 43rb). Peter Aureoli had advanced similar principles without as great details (*Tractatus, ed. cit.*, pp. 75—76).

Such, in brief, is the contents of the work of Petrus Thomae; our sketch suffices to show its originality, the marvelous synthesis it contains, and its great merit as probably the first attempt to discover in systematic fashion a basis for the Immaculate Conception in Holy Scripture. Despite its contribution, it seems to have had surprisingly little influence[27], though too little is known of the Friars at Paris after 1320 to allow us to draw definitve conclusions. There seems some affinity between Petrus Thomae and Caracciolus, yet authorities differ on the date of the latter's work at Paris.

II. Franciscan Scholastics before 1350

The first half of the fourteenth century witnessed a gradual development at Oxford, Paris and elsewhere from general denial or forthright opposition to the Immaculate Conception to a fairly widespread acceptance among Scholastics. By and large, the credit for this transition must be given to the many followers of Duns Scotus particularly in the Studium of Paris. The survey here presented does not, however, profess to be definitive or exhaustive[28].

The Oxford Friars

In 1314, while Aureoli was disputing the doctrine at Toulouse, *William of Nottingham* († 1336) was commenting on the *Sentences* at the University of Oxford[29]. If the written text, redacted some years later, is any indication of the Oxford School as a whole, it would reveal that little or no advance had been made in the decade after Scotus' teaching at the English school. The proof of the possibility (a. 3) is very weak as compared to Aureoli's work; and the actuality (c. 4) is proposed with great prudence: *Quid autem sit de facto, ille solus novit qui ut ipsamet esse Mater Dei disposuit.* William does not even say that the positive answer is his own conviction. He is content to write that while the common opinion of theologians is that Mary contracted original sin, there are others who say the opposite: *non pertinaciter asserendo sed reverenter opinando.* No one indeed at that period could assert the positive answer as alone tenable; at best, as William writes, it was a reasonable opinion: *Haec opinio videtur valde rationabilis*[30].

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[27] Among the litterary remains of John of Aragon, to whom the *Liber* is dedicated, is a *Liber Contionum* which contains several sermons *De Conceptione B. M.* It would appear, however, that he did not accept the doctrine proposed by Petrus Thomae: Licet enim in peccato originali, ut credo, concepta fuit, tamen . . . illico post animae infusionem copiosissime sanctificatione mundata fuit (cf. A. Lopez, in *Archivo Ibero-Americano*, XXXVI, 1933, 186).

[28] See the survey of P. Fran. de Guimaraens, O. F. M. Cap., "La doctrine des théologiens sur l'Immaculée Conception de 1250 à 1350", *Études franciscaines*, N. S. III, n. 9 (Dec. 1952), 181—205; IV, n. 10 (Juin 1953), 167—187. Unfortunately there are several lacunae in this article; thus, it fails sometimes to cite recent editions of texts.

We may seriously question, however, whether even the cautious position of William of Nottingham mirrors the general trend of his day. *William of Alnwick*, master at Oxford about 1316, passes over the question entirely[31]. Earlier, *Robert Cowton*, lecturing after the Oxford commentary of Duns Scotus, had clung to the negative position and had actually both quoted and refuted the arguments of the Subtle Doctor. He cannot see that the argument proves more of Our Lady than of any other woman, though he does agree that if anyone should be preserved, it ought to be the Mother of Christ[32]. A few years after Nottingham, about 1317, the Venerabilis Inceptor, *William Ockham*, likewise failed to give a special question to the Immaculate Conception, though other texts with a direct bearing on the question of original sin, etc., show at least that he did not directly criticize the position of Scotus and did in a general way admit the possibilty of the preservation[33]. Later, *Walter of Chatton*, master at Oxford before 1330 (with Sentences dated shortly after 1322), who otherwise opposed Ockham and Aureoli, shows himself definitely in favor of the doctrine. Despite his knowledge of the *liber Aureoli*, i. e., most likely the *Tractatus*, his own presentation is moderate, reserved and very brief, with the argument of fitness drawn from the Assumption: if God willed to preserve the Blessed Virgin after death from bodily lack of beatitude, it was much more fitting that He should preserve her from eternal loss of happiness and therefore from the demerit implied in original sin[34]. He was cited later (1344) by the Augustinian Gregory of Rimini as favoring the Immaculate Conception[35]. Later Franciscans, like Adam Wodeham, disciple of Ockham, and James of Casali at Cambridge, either held the negative view or refrained from expressing their preference[36].

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[29] Cf. A. Emmen, O. F. M., "Immaculata Deiparae conceptio secundum Guillelmum de Nottingham", Marianum V (1943), 221—44 (introduction), 245—60 (text).

[30] He continues (*ed. cit.*, p. 254): Nam cum tot sunt modi quibus Deus potuit ipsam purgasse et a peccato originali praeservasse, et hoc ipsi nec matri derogasset, sed magis ad honorem utriusque fuisset, nec etiam fuisset contra ordinem universi, sed potius ad decorem . . . consonum est christianae devotioni sentire, donec aliud per Deum sibi constiterit, vel saltem donec mater Ecclesia aliud praeceperit, quod auctor naturae Virginem . . . a quocumque vitio naturae praeservaret; maxime cum multo maius sit ipsam Virginem fieri matrem Dei quam a praedicta macula praeservari.

[31] His *Sentences* III, d. 3, contains only the question: Utrum beata Virgo fuerit plus gavisa de conceptione Filii Dei quam de eius passione doluerit (Assisi, *Bibl. Comm. 172*, fol. 100r). The second book seems to contain nothing on original sin.

[32] See text in Fran. de Guimaraens, *art. cit.*, 33, n. 89: Sed licuit sic potuit, quia tamen oppositum videtur esse de mente sanctorum, ideo argumenta facta ad probandum quod non contraxit non concludunt, etc.

Present research thus shows that the Friars of Oxford before 1350 possessed no unanimity on the question of Mary's prerogative; that, indeed, more either opposed or neglected the doctrine than defended it. With this disappointing conclusion we turn to the group at Paris.

Opposition at Paris

Legend has it that the University of Paris abandoned all opposition to the teaching of the Immaculate Conception after the defence of

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[33] Cf. E. M. Buytaert, O. F. M., "The Immaculate Conception in the Writings of Ockham", *Fran. Studies*, X (1950), 149—63.

[34] See E. Longpré, O. F. M., "Gualtiero de Catton: un maestro francescano d'Oxford", *Studi Fran.*, XX (1923), 101—114. The text on the Immaculate Conception (p. 108) reads: . . . *Persua*sio melior ad hoc est ista: ipsa secundum omnes nunquam fuerit sub peccato actuali, igitur nunquam sub originali. Probo conclusionem: congruum est quod si Deus voluit beatam Virginem praeservare post mortem a corporali carentia beatitudinis, multum magis erat congruum quod praeservaret eam ab aeterna carentia beatitudinis et per consequentiam similiter demerito carentiae aeternae. Secunda congruentia: sibi tribuendum est quidquid sibi potest tendere ad honorem et Filio ad laudem, nec est absolute negandum; sed oppositum non habetur ex Scriptura (*read more probably:* nec est absolute negandum si oppositum non habetur ex Scriptura;) quod sit; igitur; etc. Aliae congruentiae adducuntur sed non valent, quia aeque concluderent de parentibus remotis. Tertium dubium: an de facto fuerit praeservata. Et pie tenendum quod sic propter dictas congruentias . . . Qualiter (auctoritates glossandae sunt), quaere librum Petri Aureoli.

[35] Cf. Fr. de Guimaraens, *art. cit.*, 35. Despite the statement of the author that the text cannot be found in Chatton, it is clearly in the passage given by Fr. Longpré. However, we have ventured to offer the correction in the preceding note on the basis of the text of Gregory: quidquid honoris possibile et condecens Matri Christi debet sibi attribui seu aestimari esse concessum *si oppositum* non habetur ex Scriptura (*art. cit.*, 35, n. 100).

[36] Cf. Fr. de Guimaraens, *art. cit.*, 34—36; for Dominican opponents in England, Thomas Sutton, Nicholas Trivet, Robert Holkot, *ibid.*, 37—39.

Scotus. History tells a different story. Many indeed followed the Marian Doctor; yet on the other hand not a few, including some Friars Minor, continued to oppose the teaching and refuted or attempted to refute by name the reasonings of Duns Scotus.

Among these Friars was *Bertrand de la Tour*. Magister regens at Paris about 1311—12, he was provincial of Aquitaine when Aureoli wrote the *Tractatus* and so ably defended the doctrine. Yet Bertrand plainly taught and preached that Mary was conceived in original sin, as is evident from sermons he gave later as archbishop[37]. Somewhat later (1330—32), the famous *Alvarus Pelagus* complained of the "new theologians" who departed from the common opinion to hold the Immaculate Conception[38]. However, as is evident from the long list of these "new theologians" such opponents among the Friars Minor were in the minority[39].

On the other hand, opponents without the Order grew in number. Hervaeus Natalis (Nédélec), Durandus of Saint-Pourçain, Pierre de la Palu, John of Naples, are a few names one meets in the Dominicans[40]. Of these, Durandus shows himself a very calm and moderate opponent. To him the negative view seems truer, though he sees the reasonableness of the Franciscan thesis and admits that it in no way militates against Mary's need of redemption. What God actually did remains hidden, because this is something that depends on His will[41]. The famous *Quaestio*

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[37] Archbishop of Salerno in 1320 and later cardinal-archbishop of Frascati, Bertrand died at Avignon about 1334. For his sermons, cf. P. Alva y Astorga, *Radii solis* . . . col. 1142—44.

[38] *De planctu Ecclesiae* II, c. 52 (ed. 1517, f. 169; ed. 1560, p. 110): Mater Christi . . . in originali peccato concepta fuit . . . et hanc sententiam omnes antiqui theologi (tenent) . . . licet novi quidam theologi a sensu communi ecclesiae recedentes teneant contra . . . quorum opinio nova et phantastica sit a fidelibus cancellata.

[39] Cf. (L. Lemmens, O. F. M.) "Bibliographia seu Bibliotheca Franciscana de Immaculata Conceptione B. M. V.", *Acta Ord. Minorum*, XXIII (1904), 454—83 (the list for the fourtheenth century, pp. 455—48).

[40] Cf. Fr. de Guimaraens, *art. cit.*, 171—75.

[41] *Sent.* III, d. 3, q. 1, n. 4 (Antverpiae 1566), f. 217rb: Hic est duplex modus dicendi. Primus est quod B. V. non fuit concepta in originali peccato, sed simul tempore fuit animata et gratia ipsi data. Et huius dicti ostenditur primo possibilitas . . . secundo congruitas . . . et tertio probatur quod ita factum fuerit. — N. 8 (f. 217va): Alius modus dicendi est quod B. V. potuit quidem ab originali peccato praeservari virtute divina, sed non decuit ut praeservata fuerit. — N. 14 (f. 217vb): Puto tamen quod si B. V. peccatum originale non contraxisset, potuisset tamen vere dici redempta a Deo, pro eo quod in radice sua, ex natura suae conceptionis obligata erat ad incurrendum peccatum nisi fuisset a Deo praeservata.

His own position is more clearly brought out in q. 2 (f. 218va): His non obstantibus, prior opinio videtur verior, scilicet quod Deus potuit facere quod B. V. per solum instans esset in culpa originali et toto tempore sequenti in gratia . . . (f. 219ra): Utrum autem hoc fecerit (Deus) ipse novit, quia de of John of Naples (c. 1316) shows thorough acquaintance with the Franciscan School, since the author quotes verbatim the words and arguments of Duns Scotus, and in turn tries to show: *potuit, non decuit, ergo de facto (Maria) subiecta fuit peccato originali.* The tone of the argument is moderate[42].

An earlier, more important and more extreme opponent is the secular Master *John of Pouilly* (likely about 1309), who a few years after Duns Scotus had left Paris attacked the Subtle Doctor and branded his teaching heretical[43]. The text contains long citations from Duns Scotus and examines in detail the latter's arguments and solution, to conclude that neither Mary nor God, her Son, needs our lies, that inasmuch as Scotus' position is against all Scripture it must be reckoned heretical, and that one who has so taught must be dealt with otherwise than by mere argument[44].

The Tradition at Paris

The *Mariale magnum* of the early Scotists is also a *mare magnum* on the question of chronology and mutual influence. We shall not therefore pretend a surety which we do not have in the order in which we consider these Scholastics.

John de Bassolis, one of the immediate disciples of Scotus, seems to have continued the tradition of his master. He is said to have lectured on the Sentences at Reims in 1313; and the printed text shows that he follows Scotus[45]. Of a fellow-disciple, *Antonius Andreas*, tradition says that he was a most faithful follower, one manuscript of 1426 calling him Scotellus (a name also given to Petrus de Aquila), another of 1429 Scotulus. He makes little contribution to the history of our question[46].

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his quae mere dependent ab eius voluntate non possumus habere plenam certitudinem nisi ipse revelaverit. (These texts are from his third redaction of the Sentences, dated 1317—25; but we may suppose the earlier redactions contained the same opinion.)

[42] Cf. C. Balić, O. F. M., *Ioan. de Polliaco et Ioan. de Neapoli Quaestiones Disp. de Immaculata Conceptione B. M. V.* (Bibl. Mariana Medii Aevi: Textus: I) (Sibenici, 1931), pp. 73—95.

[43] C. Balić, *op. cit.*, p. 2: Primo volo declarare quod non potest dici probabiliter nec teneri pro opinione probabili quod beata Virgo de facto non contraxit originale peccatum. Imo salva cuiuscumque reverentia, videtur quod debeat haereticum reputari.

[44] *Ibid.*, pp. 13—14; the whole text is given pp. 1—70.

[45] *In III Sent.*, d. 3, q. 1, a. 3 (Parisiis 1516), f. 28r: Videtur mihi dicendum quod Deus potuit et decuit hoc fieri quod ipse praeservaret Virginem matrem suam dulcissimam ne peccatum originale contraheret in sua conceptione.

[46] *In IV Sent. Libros opus longe absolutissimum* (Venetiis 1578), f. 93ra—va. To say that he did not as yet dare to defend the privilege (as Fr. Franc. de Guimaraens states, *art. cit.*, 167—68) does not seem to be justified.

The first disciple at Paris to devote an extended question to the Immaculate Conception appears to be *Landulphus Caracciolo* (unless we are mistaken as to his chronology). His question[47], divided into six articles per modum conclusionum, shows first that on which all agree: then the negative position, with several new authorities; while the statement of the positive position (concl. 3) is prefaced by a protestation: *Salva semper fidei sinceritate et tam abdidi mysterii sacramento, et Matris ineffabilis purae et benedicti Filii privilegiis, pono auctoritates et quatuor rationes ponentes B. V. non fuisse in originali conceptam. Et praemissa protestatione istis adhaereo.* The authorities cited in favor of the doctrine are new, for Landulph introduces several from the *De Conceptione B. Mariae* of pseudo-Anselm (Eadmer), and to these he adds a lengthy exegesis of the usual text from Saint Augustine's *De natura et gratia*, while the reasons in part repeat and develop those of Scotus. However, the doctrine as a whole is lacking in theological precision.

Hugh of Newcastle-on-Tyne, who perhaps follows Landulphus[48], is faithful to Scotus, yet presents the doctrine in such sober and objective fashion as to lead one to imagine that he is not stating his own views[49]. While he does not indeed provide a fervent apology and splendid argumentation, he does not differ from the other prudent exponents of the teaching. The presentation is marked by clarity and precision rather than by originality: he shows that the question centers on the time of animation and depends on the distinction between *contractio formaliter* and/or *causaliter*, while the divine motherhood is seen as the main reason for the preservative redemption[50]. Though considerably shorter, his exposé is better than of Landulphus.

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[47] Cf. D. Scaramuzzi, O. F. M., "L'Immacolato Concepimento di Maria: questione inedita di Landolfo Carracciolo, O. F. M. († 1351)", *Studi Francescani*, XXVIII (1931), 33—44 (introduction), 44—69 (text). There is no evidence that Landulphus also wrote a tract on the Immaculate Conception (cf. C. Balić, O. F. M., *Theologiae Marianae Elementa*, Sibenik, 1933, p. civ, n. 100). The tract attributed to him may well be that of the Carmelite Michael Aiguani; cf. note 83 *infra*.

[48] Cf. A. Emmen, O. F. M., "Hugo de Novocastro eiusque doctrina de Immaculata Conceptione", *Studi Fran.*, XLI (1944), 126—39 (introduction), 139—47 (text). If one may make a very tenuous connection and contrast between *dico quod immo* (Landulphus, *ed. cit.*, p. 67, n. 2) and *dicitur quod immo* (Hugo; cf. note 50, *infra*), then perhaps Landulphus preceded Hugo. However, the *dico quod immo* is also found in Robert Cowton, on whom Hugo seems to depend. The text otherwise reveals little rapport between Hugo and Landulph.

[49] I would therefore disagree with the characterization offered by Fran. de Guimaraens, *art. cit.*, 45. The text may likely be a reportation; yet that Hugo is really defending the doctrine seems plain from the very arrangement of his reasonnings and from the fact that he answers only the reasons of the negative position.

That *Peter Aureoli* came to Paris in 1316 is certain; that he followed Hugh of Newcastle can be shown with some degree of probability. Agreeing with Fr. Eligius M. Buytaert that the Reportation (questions edited in this issue) belongs to the Parisian period of Aureoli, we would point to the author's remark on the distinction of *de iure* and *de facto: Et hoc est quod aliqui dicunt quod (Maria) contraxit peccatum originale causaliter et virtualiter, non autem formaliter*. This distinction is repeated at the end of the question. But, subject to correction, we think that the only one who had previously used this latter distinction was Hugo de Novocastro.

Aureoli's close successor, *Franciscus de Marchia* (or Franciscus Rubei de Pignano), Baccalaureus sententiarius in 1319—20, adds nothing new. However, he is certainly among the defenders of the doctrine, despite a recent adverse judgment[51]. Perhaps here we may add *Petrus de Aquila*, the exact date of whose work is not established. That he was called Scotellus is sufficient indication of his doctrinal position; yet the text on the Immaculate Conception shows also a direct use of William of Ware. The latter is named once in the course of the discussion, and almost all answers to objections are taken quite literally from him[52].

Franciscus De Mayronis

A special place in the history of the Immaculate Conception must be assigned to François de Meyronnes, the *Doctor acutus* or *illuminatus*

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[50] Cf. A. Emmen, *ed. cit.*, 143: Ponendum est in conceptione Matris quidquid est possibile et non derogat conceptione nec privilegio Filii . . . (sed) hoc ponendo relinquitur privilegium (Filii), quia ponitur quod Christus non habuit peccatum originale nec causaliter nec formaliter; si autem negetur a Matre quod formaliter, conceditur tamen quod causaliter. — Then, pp. 143—44: Ad primam, cum dicitur quod non fuisset redemptor universalis, *dicitur quod immo*, quia redemptor universalis perfectior respectu huius Virginis. Quod patet quia nisi eam praevenisset quoad peccatum, offensam incurrisset; et ideo redemit, quia aliter de merito suo non fuisset liberata. Unde merito passionis suae praevisae impetravit sibi (Mariae), quod numquam peccatum contraheret.

[51] Cf. Fran. de Guimaraens, *art. cit.*, 46: (Il) n'ose pas non plus se ranger ouvertement parmi les défenseurs du glorieux privilège de Marie. Il incline pourtant vers cette opinion, etc. The text of his question is as clearly a defence as is that of his predecessors. It is contained in ms. Vat., *Barb. lat.* 791, f. 98rb—99vb, and Assisi, *Bibl. Comm.* 180, f. 16r—17v. The latter *ms* contains the Sentences of Gerard Odonis, but at this point it substitutes the question of de Marchia: Ista enim quaestio non est magistri Geraldi sed magistri Francisci de Marcia, nec ponit magister Geraldus praedictam quaestionem in isto tertio.

[52] *III Sent.*, d. 3, q. 1 (C. Paolini, O. F. M., *Fr. Petri de Aquila O. F. M., cognomento Scotelli B. Ioan. Duns Scoti discipuli Commentaria*, Levant, 1907, III, pp. 31—37).

(c. 1288—p. 1328)[53], not only because he was, in the words of William de Vaurouillon, *Doctoris Subtilis validior imitator* and the founder of Scotism as a school but also because as an *assertor maximus* of the Immaculate Conception he had considerable influence on the development of the doctrine. Besides a bold and perhaps extreme defence in the Sentences (1320—21), he composed a Tract or sermon which follows the order of the Sentences, and several other sermons[54].

For the most part the defence in the Sentences follows what was by now the tradition at Paris, though the text is full of the mannerisms of the author. However, the argument contains a radical departure from past Scholastics in that bluntly and without qualification it proclaims the actuality of the Immaculate Conception: God could preserve the Blessed Virgin; it was fitting; therefore God actually (*de facto)* so preserved her[55]. The reasoning offered in no way warrants this categoric conclusion: a benevolent agent omits nothing possible in respect to an effect pleasing to him; but God is an agent benevolent in the highest degree, while the purity of His Virgin Mother was most pleasing to Him . . .; therefore either God actually preserved her or passed over something fitting. The usual arguments are given in abbreviated form (some suggest a slight parallel to the Tract of Aureoli); emphasis is laid on the privileged position this doctrine accords Our Lady; though this implies exemption from the common law, she was truly redeemed.

This forthright position is constantly taken by de Mayronis in his other works and passes from him to the Scotistic School[56]. Thus it was used in his tract or sermon on the text: *Audite somnium*, but repeated by him in such variation that the first time we have the famous trilogy:

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[53] Cf. B. Roth, O. F. M., *Franz von Mayronis, O. F. M., Sein Leben, seine Werke, seine Lehre vom Formalunterschied in Gott* (Franz. Forschungen: 3) (Werl, 1936)

[54] Pedro Alva y Astorga edits the questions of the Sentences (Monumenta antiqua seraphica, pp. 275—83), a *Tractatus diffusus de conceptione B. M. V.* (pp. 283—316), and several sermons (pp. 317—26). On the other hand, B. Roth (*op. cit.*, pp. 216—18) describes a Tract or sermon that follows the structure of the Sentences. In accordance with the text: *Audite somnium meum quod vidi* (Gen. 37, 6), it is divided into ten (in one manuscript) or twelve visions corresponding to the articles of *Sent.* III, d. 3, q. 2. This seems identical with the anonymous sermon published by Alva y Astorga in *Monumenta antiqua ex variis authoribus* (Lovanii 1664), pp. 236 ff. (quoted by X. M. Bachelet, art. "Immaculée Conception", DTC, VII, col. 1090). See note 57, *infra.*

[55] *Sent.* III, d. 3, q. 2 (Venetiis 1520), f. 165rb—va: Secundo quaero: Utrum B. V. M. fuerit concepta in peccato originali . . . Hic sunt duodecim articuli secundum ordinem declarandi . . . Primus articulus: quod Deus potuit beatam Virginem praeservare ne contraheret peccatum originale . . . Secundus . . . quod decuit quod Christus matrem suam ne peccatum originale contraheret praeservaret . . . Tertius articulus, quod de facto Deus Matrem virginem ab originali praeservavit.

[56] Cf. Fr. de Guimaraens, *art. cit.*, 46—49.

Potuit-decuit-fecit[57]. Theologians and historians have known, if artists have not, that Duns Scotus never used that expression; yet none seems to have pointed to Franciscus de Mayronis as responsible for it.

William Rubió

A reaction to the unwarranted position of de Meyronnes might be expected, and it was not long in coming. The first opposition is to be found in a Friar Minor, William Rubió, who was in Paris at least by 1320, when he followed and reported the Sentences of Franciscus de Marchia[58]. Though he does not mention de Mayronis by name, it is evident that in his own Sentences the question of the Immaculate Conception is a rebuttal of the Doctor Illuminatus. He does not deny the doctrine, for he considers it a pious belief which, though without foundation in the Scriptures, can be said to have a basis in the Assumption and in the fact that the Church allows the feast and so seems to favor this position[59]. On the other hand, one cannot pertinaciously assert the negative view: *nec unum nec alterum est pertinaciter asserendum*[60].

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[57] Cf. B. Roth, *op. cit.*, p. 218: Prima visio: quod Deus *potuit* praeservare matrem . . . Secunda visio, ex quo Deus potuit praeservare, *decuit* ut de facto faceret . . . Tertia visio, quod ex quo decuit Deum li (hoc) facere, quod de facto ipse *fecit*. The text continues as in the Sentences: quia nullum agens benevolum praetermittit aliquid de decentibus circa effectum placitum sibi (quoted by X. M. Bachelet; otherwise not available).

[58] For bio-bibliographical details, cf. José M. Rubert Candau, *El conocimiento de Dios en la filosofia de Guillermo Rubió* (Madrid, s. a.), pp. 3—40. William Rubio was born at Villafranca del Panadés in Catalonia. It is not known whether his Sentences, approved by a commission and by the Minister General Gerard Odonis in 1333 (i. e., 1334), were composed at Paris or Barcelona (I would judge their origin was at Paris, their final redaction at Barcelona after 1331, since two Quodlibets are cited. Rubió was Provincial of Aragon sometime between 1326 and 1336.

[59] *Sent.* III, d. 3, q. 2 (Parisiis 1518), tom. II, f. xvii va: Tertia conclusio est quod non potest haberi nec probari ex aliqua auctoritate scripturae sacrae nec alicuius sanctorum expressa ab isto originali peccato fuisse beatam Virginem praeservatam . . . Ex praedicta conclusione videtur posse concludi corollarie quod non sit certum totaliter asserendum pertinaciter beatam Virginem fuisse sine peccato originali conceptam. — Then, f. xix ra: Quinta conclusio est quod beatam Virginem non fuisse in originali reatu conceptam sed ab ipso ex speciali privilegio praeservatam pie et probabiliter potest credi, licet, ut videtur, non pertinaciter asseri . . . Pie et probabiliter sit credendum, quoniam singulariter privilegiatam in suo progressu et in suo egressu rationabiliter credi potest fuisse etiam privilegiatam in suo ingressu aliquo privilegio speciali. Sed beata Virgo fuit multipliciter et specialiter privilegiata in toto suae vitae progressu ut apparet evidenter, et in ultimo egressu cum credatur assumpta in anima et in corpore . . . Constat quod Ecclesia numquam determinavit contrarium, immo videtur huic parti favere et ad eam inclinari, cum sustineat diem conceptionis Virginis solemnizari.

[60] *Ibid.*, f. xix rb. From this exposé the conclusion does not follow: Guillaume de Rubione . . . d'admet point l'Immaculée Conception (so Fran. de Guimaraens, *art. cit.*, 169—70).

This is the conclusion but not the whole of Rubió's criticism or examination of the question. Other sections, however, are not as felicitous. His tract on original sin labors under a certain confusion, not to say contradiction, since he actually denies sometimes what he otherwise affirms[61]. Then, after citing in detail the reasons of de Mayronis for the thesis: *ipsam Virginem nec contraxisse peccatum originale nec contrahere debuisse* (which is a slightly different phrasing than that actually used by de Meyronnes)[62], he objects by way of general refutation that the latter's reasons suppose two things which are perhaps not true though generally admitted, namely, that original sin is a spiritual stain and that to be conceived in original sin means to be in the hatred of God[63]. Against the latter position he argues that God hates or is properly said to hate only him in whom there is sin, not because of the guilt *(reatus)* but precisely because of the sin; but original sin, as de Mayronis would admit, is not a sin inasmuch as sin is distinguished from guilt; therefore whoever is conceived in original sin is not to be said properly to be in the hatred of God[64]. Consequently, if the Virgin were conceived in original sin, she would have neither a spiritual stain nor be in the hatred of God; therefore she would still have the greatest purity. Hence the arguments of de Mayronis do not necessarily infer preservation[65].

We will not agree with Rubió, but at least we must admire his attempt at greater theological precision. The whole treatment shows a systematic examination of the question in hopes of attaining the revealed character of the doctrine; the result is negative, for he concludes that Sacred Scripture seems rather opposed than favorable. Yet he suspends judgment, since he finds some basis in the Assumption and the actual celebration of a Feast of the Conception.

There is no apparent evidence that Rubió's criticism was very influential if indeed it was known at all. On the contrary, the position of de Meyronnes seems to have been generally adopted by the Franciscan Scholastics at Paris as also by popular preachers[66]. At the same time we cannot here make a definitive judgment on the extent of such influence on his more immediate successors at Paris.

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[61] Cf. A. Braña Arrese, *op. cit.*, pp. 17—22.
[62] Rubió, *Sent.* III, d. 2, a. 2, concl. 3; *ed. cit.*, f. xvii va—vb.
[63] *Ibid.*, f. xvii vb.
[64] *Ibid.*, f. xviii ra.
[65] *Ibid.*, f. xviii rb.
[66] Cf. B. Roth, *op. cit.*, pp. 221 ff., for the testimony of Heinrich Heynbuch von Langstein, student and teacher at Paris between 1358 and 1382. Though an advocate of the Immaculate Conception, he was disgusted by the disputes and conflicting sermons of the Mendicants and the machinations of the *Maronitae* among the Friars Minor who fill the schools with their empty smoke.

Thus *Anfredus Gonteri* (or in modern French, Alfred Gontier), of the province of Tours, lector at Barcelona in 1322 and Sententiarius at Paris in 1325, plainly states on several occasions that he follows Scotus: *non libenter contradico Doctori Subtili.* Though he is dependent on de Mayronis in the question of the formal distinction in God, on the Immaculate Conception he seems to follow the older tradition[67]. *Gerard Odonis* (Guiral Ot), at Paris 1326—27, omits the question altogether. Much later, *Franciscus de Perugia*, magister about 1370, apparently shows no hesitation in relation to the doctrine[68]. A few years later (1373) Thomas de Rossy was to use the argument from the Assumption, but avoid the extreme of de Mayronis[69]. On the other hand, to pass to the next century, William de Vaurouillon (1429) was to make his own the three steps of the Doctor Illuminatus[70].

III. The Acceptance of the Doctrine in Christendom

By the end of the fourteenth century the doctrine of the Immaculate Conception had become the more common teaching at Paris and elsewhere[71]. But before the middle of the century, with few exceptions, only the Friars Minor had championed the teaching. What were some of the factors that effected this change, in Religious Orders, the Universities, and the Courts of Europe?

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[67] Cf. V. Doucet, O. F. M., "Der unbekannte Skotist des Vaticanus lat. 1113: Fr. Anfredus Gonteri O. F. M. (1325)", *Franz. Studien*, XXV (1938), 201—240. See also the excerpt from ms. Pomplona, *Bibl. Cathedr. cod.* 5, f. 130vb, in C. Balić, *Testimonia de Assumptione B. V. M.*, I, (Roma 1948).

[68] Cf. J. Lechner, "Franz von Perugia O. F. M. und die Quästionen seines Sentenzenkommentars", *Franz. Studien*, XXV (1948), 28 ff. On the Immaculate Conception, see p. 57, esp. n. 74.

[69] Cf. C. Piana, *art. cit.*, 103, n. 4.

[70] *Sent.* III, d. 3, a. 2 (Parisiis 1502), f. 262vb: Dicit prima pars quod Deus potest et potuit facere quod Beata Maria non conciperetur in peccato originali . . . Sed dicit secunda pars conclusionis quod decuit Deum ipsam Mariam praeservare ab omni impuritate peccati . . . Tertio, quod de facto ita fuit. — Several definitions and arguments are borrowed from de Mayronis, but Scotus is quoted and spoken of as the first champion at Paris: qui de primis huius almae universitatis doctoribus extitit hanc adaperiens veritatem.

[71] By 1413—14 Master Giles Carlerii could speak of the Franciscan thesis as the *positio magis communis et pietati fidelium et devotioni ad mediatricem Dei et hominum magis amica* (cf. V. Doucet, "Mag. Aeg. Carlerii († 1472) eiusque Quaestio de I. C.", *Antonianum*, V, 1931, 439). Indeed, Marsilius of Inghen († 1396) could say even earlier: Moderni autem Universitatis Parisiensis praeter Praedicatores communiter tenent quaestionis partem negativam (*Sent.* II, q. 20, a. 1, Strasbourg 1501, f. 315).

The Carmelites

That the Friars Preacher continued to oppose the doctrine out of excessive zeal for the authority of Saint Thomas is too well-known to be repeated here (though one must not forget that many a Dominican saw to depart herein from his brethren). One may see the hand of God in this opposition, for it provoked a corresponding doctrinal and popular development among theologians and among the ordinary faithful and caused the truth to be better understood. In the other Mendicant Orders the Franciscan position came gradually to be accepted.

The Friars of Carmel celebrated the Feast of the Conception at least from 1306 when the Chapter of Toledo officially adopted it, though not in the immaculistic sense. Since the Papal Court at Avignon used the Carmelite Church for solemn ceremonies, the Feast does seem thus to have come to the attention, unofficial in character, of the Supreme Pontiff and the Curia[72]. At the same time, the first Masters of the Order at Paris, Gerard of Bologna (c. 1300—10) and Guido Terreni (1313—18), discuss and reject both Henry of Ghent's explanation and the thesis of Duns Scotus[73].

Acceptance comes only through *John Baconthorpe* († c. 1348), who himself had undergone a complete change of opinion from opposition to acceptance, *un des plus importants triomphes de l'Immaculée Conception en ce siècle*[74]. We would, however, be exceeding the evidence to attribute this change to Duns Scotus and Peter Aureoli: the former Baconthorpe sometimes accepts but more often rejects, the latter is both his contemporary at Paris and the primary object of his criticism.

Briefly, in the second book of his Sentences (lecture before 1318; scriptum c. 1320—25) he definitely opposes the doctrine as a *species haeresis phantastica*[75]. The argument of perfect redemption through preservation, quoted from both Aureoli and Scotus, has no power to convince him[76]. Then in 1330 the *Quodlibet* III, q. 12 (or 13) manifests a change, not owing in any way to the Franciscan School but to the decision of the provincial council of Canterbury (1328) to celebrate the Feast of the Conception (apparently in the immaculist sense). Like the council, Baconthorpe is influenced by Eadmer's *Tractatus de conceptione S. Mariae* and the pseudo-Anselmian *Letter to the Bishops of England.* Taking both as genuine works of Anselm, he attempts to reconcile their thesis with the manifest denial found in other (and authentic) works[77]. After a fresh rejection of Duns Scotus and Aureoli[78], he at last arrives at a distinction and conclusion: Mary contracted original sin as a child of Adam; she did not contract it as the future Mother of God[79]. This

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[72] Thus on two occasions Richard Fitzralph, Archbishop of Armagh, preached on the Feast in the presence of the Curia. His prudence (he said) dictated his maculist conclusion. Cf. B. M. Zimmermann, "Richardi archiepiscopi Armacani bini Sermones de Im. Conc. B. V. M. habiti in ecclesiis Carmelitarum an. 1342 et 1349", *Anal. Ord. Carmel. Disc.*, VI (1931—32), 158—59.

[73] Cf. B. M. Xiberta, *De scriptoribus scholasticis saec. xiv ex ord. Carmelitarum* (Louvain, 1931), p. 108; p. 137. See also several articles in the first two issues (1954) of the new Roman review *Carmelus*, on the history of the Immaculate Conception in the Order.

[74] P. Doncoeur, "Les premières interventions du Saint-Siège relatives à l'Immaculée Conception", *Revue d'hist. eccl.*, IX (1908), 283. The full account with texts is given by B. M. Xiberta, *De scriptoribus* . . ., pp. 227—240.

[75] *Sent.* II, d. 30, quaest. un., a. 2 (Venetiis 1526—27), f. 189rb. He seems to have known the teaching of Hugo de Novocastro, as the following would show: Quod probatur ecxludendo rationes aliorum qui dicunt de B. V. quod numquam contraxit formaliter et actualiter, sed magis quasi dispositive et

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virtualiter in quantum habuit necessitatem contrahendi. But since Baconthorpe uses the hitherto unpublished redaction of Aureoli, he could have found the foregoing distinction therein.

[76] *Loc. cit.*, f. 189va: Secundo arguo . . . sic: redemptio facta per Christum fuit propter peccatum originale. Si igitur ista numquam originale contraxisset, numquam indiguisset redemptione ista, et ita redemptio ista non fuit redemptio totius naturae humanae . . . Respondet (P. Aureoli) quod perfectius redemit eam per hoc quod praeservavit eam ne caderet, quam si dimisisset eam cadere, et post mundasset eam. Sed hoc nihil est quia loquimur de redemptione vere dicta seu quae fuit per pretium datum seu per sanguinem Christi . . . Scotus tertio libro d. 2 respondet aliter: quod indiguit redemptione, quia ipsa contraxisset ex communi ratione propagationis . . . Contra . . . Abusus, immo periculum fidei est talem modum ponere, qui ex simili potest esse occasio magnarum haeresum.

[77] *Quodl.* III, q. 12, *ed. cit.* (Pars III), f. 58ra: Septima particula . . . Tenet Anselmus quod non contraxit in Tractatu qui intitulatur De conceptione B. M. V., et istum librum inveni primo in domo Fratrum Minorum Catabugen. (read: Cantabrigiae, where he taught sometime after 1324), et postea inveni Parisius eundem librum in manu communis stationarii. In q. 13 (f. 59ra) he mentions the Council of Canterbury and (f. 59rb) the *Epistola ad episcopos.* (In the Cremona edition, 1618, q. 12 is numbered as q. 13; q. 13 as q. 14.)

[78] *Quodl.* III, 12, f. 57va: Utrum solus Christus sit vel fuerit conceptus sine peccato originali . . . (F. 57vb): Tertia particula est quod solus Christus eo quod de Spiritu Sancto conceptus hanc habuit excellentiam quod nec contrahere potuit originale peccatum nec de facto contraxit: ex quo sequitur quod Beata Virgo ut filia Adae originale de facto contraxit . . . Hanc particulam addo contra aliquos, scilicet Scotum, qui dicit quod B. V. non contraxit originale sed solum fuit in ea necessitas contrahendi quia genita per generationem naturalem; et contra opinionem Aureoli dicentis quod contraxit de iure originale in conceptione seminis sed non de facto in conceptione animationis.

[79] *Ibid.*, q. 13, f. 59rb: Ut igitur salvetur ne sibi Anselmus contrarietur in istis . . . libellis, videtur quod ipse intellexerit quod caro conceptione B. V. seminata dupliciter potest considerari, vel in ordine ad Adam ut descendit per carnalem generationem, vel alio modo ut praedestinata et praeordinata ad Filii Dei maternitatem et incarnationem . . . Quae possunt de potentia Dei absoluta separari in esse, possunt et in veneratione vel reprobatione, licet simul insint eidem. Igitur, licet in conceptione simul fuerit in culpa et praedestinata ad gratiam, poterat primo modo reprobari et secundo modo venerari.

same distinction carries through his *Postilla* on Saint Matthew and the Epistle to the Romans[80]. Finally, in the redaction (c. 1340) of the fourth book of the Sentences known as the *Quaestiones canonicae* these previous positions are expressly abandoned in favor of the true doctrine. He now sees that while Mary had the *necessitas contrahendi* as a child of Adam, this was deleted for her by a special privilege so that in the very instant of conception she was thus exempted[81]. History does not tell us the reason for this glorious transformation of Baconthorpe: some of the reasons he accepts are identical with those of Aureoli, some are analogies from canon law, many are from Eadmer (to whom the Friars Minor had introduced him).

Of later Carmelites only Paul of Perugia (c. 1344) seems to have opposed both this final position of Baconthorpe and the arguments of Duns Scotus[82]. The Whitefriars soon rallied to the defence of Our Lady's privilege after 1350. Of these Michael Aiguani of Bologna and Francisco Martí are outstanding. The former, at Paris 1360-65, composed a *Tractatus Conceptionis gloriosae Virginis Mariae*[83], and defended the doctrine on several occasions. Martí (or Martini) entered into the controversy over the Immaculate Conception which was raging in Catalonia at the close of the century. His *Compendium veritatis conceptionis Virginis Mariae* seems to make use of Petrus Thomae, perhaps through John Vitalis[84].

The University of Paris

Despite the legends of Bernardin de Bustis, which are both unhistorical and mutually contradictory[85], the University of Paris did not take official cognizance of the doctrine until 1387. In that year it was violently disturbed by the affair of the Catalan Dominican John de Montesono (Monzon, Monço, etc), who openly declared the doctrine to be against the faith.

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[80] As quoted by B. M. Xiberta, *op. cit.*, pp. 234—35: Completa rationali conceptione, ipsa mox fuit sanctificata sanctificatione seu conceptione spirituali, et deleta fuit culpa quam contraxit ut filia Adae.

[81] *Sent.* IV, d. 2, q. 3, a. 3; *ed. cit.*, Part II, f. 94va: Quod necessitas contrahendi culpam originalem quae fuit in matre Christi, fuit statim exstincta per privilegium speciale ab utroque canone acceptum . . . Ubi dico quod mox per privilegium speciale, in hora conceptionis fuit causa et necessitas contrahendi in matre Dei exstincta, ut de iure privato illa in animatione non contraheret originale quo notatur (*read*: quod vocatur) culpa et macula in anima, licet alibi attendens ad ius commune aliter dixerim . . . Art. 4, f. 95va: Ly mox dicit ordinem naturae non temporis, ut sic in eodem instanti secundum rem fuerit concepta sub necessitate contrahendi et exempta.

[82] Cf. B. M. Xiberta, *op. cit.*, p. 314.

[83] *Ibid.*, pp. 324—93. On the tract, cf. *ibid.*, p. 336. That this is possibly the *Tractatus* ascribed by Cucaro to Landulphus Carraciolo (cf. D. Scaramuzzi, *art. cit.*, 34) is evident from the identical explicits: Ego autem ipsorum sequens vestigia, etc. (unless this is a customary oath taken at Paris).

[84] Cf. B. M. Xiberta, *op. cit.*, pp. 453—61. Another Catalan Carmelite, Thomas Sixillat, in the early fifteenth century, reduced the arguments of Aureoli to a more compact form (*ibid.*, p. 458, n. 1).

[85] In his *Officium* for the Immaculate Conception he relates that the doctrine was immediately approved at Paris after the public defence of Scotus

In late May or early June 1387, Montesono was to be promoted to the doctorate. In his Vesperies in the school of the Preachers he proposed five propositions and later in his Resumpta (or inaugural lecture) some nine more, which he blatantly declared to be the doctrine of Saint Thomas. Four of these concerned the Immaculate Conception, and declared the teaching to be against the faith[86]. When his auditors looked at one another and whispered together in astonishment, he ended brusquely: "Do not think that I will not defend what I have said, for these things were not stated without much deliberation and on the authority and command of my superiors." (Two years later his master, Joannes Thomae, was to admit that he had counselled and abetted him in this procedure[87].

When called to account for the fourteen theses, he appeared with copies of episcopal letters purporting to approve the doctrine of Saint Thomas[88], since he wished not only to declare the doctrine of the Immaculate Conception against the faith but also to base this declaration on Saint Thomas. The faculty of theology proceeded against him without delay by exhorting and admonishing him to retract his positions as false, scandalous, presumptuously asserted and offensive to pious ears. Availing nothing, the masters denounced him to the University as a whole; and when this had no effect, the affair was brought to the Bishop, Pierre d'Orgemont. After further citations and deliberations, the Bishop formally condemned the theses, forbade them to be taught under pain of excommunication, and sentenced Montesono to prison and punishment *si apprehendi possit*[89].

(Cf. "Officium et Missa de Immaculata Conceptione", *Acta Ord. Min.*, XXII, 1904, 403b). On the other hand, his famous *Mariale* gives the year 1333: Determinavit quoque Universitas Parisiensis anno Domini 1333, Mariam matrem Dei per nullum instans vel momentum originali culpae subiectam, sed speciali privilegio ab omni macula immunem fuisse praeservatam (*Mariale* I, sermo viii; Lugd. 1502, p. 32).

[86] Denifle-Chatelain, *Chartularium Univ. Paris.*, tom. III, n. 1559, pp. 494—95. Thus, n. 10: To say that not every man, except Christ, has contracted original sin, is expressly against the faith. N. 11: To say that the Blessed Virgin, Mother of God, did not contract original sin, is expressly against the faith.

[87] CUP III, pp. 518—519. See the documents, with many human details, in the CUP, III, nn. 1557—1583, pp. 487 ff.

[88] *Ibid.*, n. 1558, p. 490. The letters were from 1325 and 1332, given by the Bishops of Paris.

[89] The document of the CUP, III, n. 1559 (pp. 491—95), must be supplemented and corrected by the direct text of the condemnation; cf.

In answer, the Dominicans carried the case to Avignon by appealing to the anti-Pope Clement VII. Their plea was that "some have wrongly and unjustly, as we hold, condemned the truth of the faith and of Sacred Scripture and of our illustrious Doctor Saint Thomas"[90]. They questioned the right of the theological faculty to make an inquiry into the doctrine and of the Bishop to condemn a man or a teaching as heretical. In addition, the action of both faculty and Bishop was considered an affront to the doctrine and the authority of Saint Thomas. As a result the Preachers withdrew from the University and did not return until 1403; more unfortunately, they were jeered at, ridiculed and spoken of throughout France as heretics[91].

The Masters and the University in turn did not abandon their own position. In the course of their deliberations before appealing to the Bishop the Masters are said to have commissioned their Franciscan colleague John Vitalis to compose an apology on the doctrine. At least, at this time Vitalis drew up the *Defensorium B. V. M.* to restate the doctrine and its proofs and to review the current controversy[92]. Much of the doctrinal content of the work is taken from Petrus Thomae, who is listed as the eighth witness or authority[93]. As it in turn carried the case to Avignon, the University was supported not only by the *Defensorium* but likewise by a juridical summary and defence prepared by

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P. Donvoeur, "La condemnation de Jean de Monzon par Pierre d'Orgemont, évêque de Paris, le 23 aout 1387", *Revue des questions historiques*, LXXXVII (1907), 176—87.

[90] Thus the General Chapter of 1388 (CUP III, n. 1562, p. 500). See also the retraction of the Dominican William, Bishop of Evreux: Item addidi et dixi quod magistri Universitatis Parisiensis non intelligebant doctrinam Sancti Thomae (n. 1572, p. 516).

[91] CUP, III, nn. 1569—70, pp. 513—15.

[92] Published by P. Alva y Astorga, *Monumenta antiqua seraphica*, pp. 89—189. No document is given in the CUP to confirm this commission. The source of knowledge seems to be Nicholas Glassberger, *Chronica:* Aliquid vero Parisius publice, ut ignem evaderent, dictos errores et plures alios revocarent, ut notat egregius doctor magister Ioannes Vitalis O. M. in tractatu qui Defensorium beatae Virginis appellatur; qui de mandato dictae Universitatis contra dictos errores scribere compulsus est (*Analecta Franciscana* II, p. 218). From the fact, however, that Vitalis mentions the episcopal condemnation and felt obliged to defend the right of the faculty to conduct the foregoing doctrinal investigation, the *Defensorium* may well be somewhat later or perhaps composed at different stages of the debate.

[93] *Defensorium* IV, c. 7 (p. 162): Octavus testis: Petrus Thomae in Epistola dicata Ioanni Infanti Aragoniae, ubi per multas vias ostendit sanctam Virginem sine originali fuisse conceptam. — Vitalis does not follow Petrus Thomae on every point. Moreover, he seems to have confused Alexander of Hales and Alexander Neckham, and as a result was the first to attribute to the former a *Mariale* defending the Immaculate Conception (cf. A. Emmen, O. F. M., "Un 'Mariale', attribuito falsamente ad Alessandro d'Hales", *Studi Fran.*, XLI, 1944, 3—12).

the Chancellor, Pierre d'Ailly: *Apologia facultatis theologiae Parisiensis circa damnationem Ioannis de Montesono*[94]. Borrowing from Vitalis[95], the Chancellor sought to establish the right of both Bishop and faculty to condemn heretical propositions, to show that the assertions of Montesono were justly condemned as erroneous, scandalous, offensive, etc., and that ecclesiastical approval of the doctrine of Saint Thomas did not require cessation of the foregoing condemnation.

At Avignon, Clement VII commissioned three cardinals to review the documents, examine the doctrines of the Dominican and reach a decision. Meanwhile Montesono, already under censure at Paris, fled from Avignon to his native Aragon and passed to the obedience of Rome. He was therefore condemned as contumacious and excommunicated; but his theses escaped immediate censure[96].

The significance of the affair is revealed to us by a anonymous eyewitness: the theses on the Immaculate Conception concerned all the faithful, both those who in pious belief denied original sin in Mary and those who for reasons other than Montesono's attributed it to her: for with the Church both sides granted that each might hold as he would[97]. That Montesono should deny the Immaculate Conception was therefore not the basis of his condemnation or the wrath aroused against him, but rather that he declared *(dogmatizaverit)* the Franciscan teaching to be expressly against the faith and the Scriptures. For this he was bidden to retract. In condemning him, therefore, the University made no positive declaration in favor of the Franciscan position; it was merely determined to emphasize the liberty of opinion to which both sides were entitled[98].

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[94] Cf. Duplessis d'Argentré, *Collectio iudiciorum* I—2, pp. 75—129; P. Alva y Astorga, *Monumenta antiqua ex variis authoribus*, I, pp. 576 ff. The CUP carries the beginning of the document (III, p. 505); an excerpt is found in some ancient editions of Saint Bonaventure (e. g., Paris, F. Regnault, s. a.).

[95] Pierre d'Ailly seems to refer to the *Defensorium* when he writes (c. 1): Ex quibus et aliis pluribus erroribus contra quos quidam doctores speciales composuerunt tractatus, concludunt isti quod huiusmodi doctrina (S. Thomae) non potest esse in omnibus approbata nec obstat eius sanctitati vel canonizationi quia non obstante glorioso martyrio Cypriani ipse erravit in fide. — Cf. Vitalis, *op. cit.*, V, q. 4, p. 184: Non obstante glorioso martyrio Cypriani martyris, eius doctrinae licuit contraire. — Again, d'Ailly, *ibid.*, c. 2: Harum propositionum improbationes diffuse et pulcherrime ponuntur in dicto tractatu (thus specifically using the singular, of Vitalis' work).

[96] CUP III, n. 1567, pp. 506—12.

[97] CUP III, p. 487: Omnium hic fidelium causa agitur, et eorum qui originalem labem pia credulitate adimunt Mariae, et illorum qui aliunde moti sibi eandem ascribunt; linquunt tamen cum ecclesia quod cuique libuerit opinandi licentiam. The same is evident from the recantations required of Montesono's abettors (CUP III, n. 1571, p. 515; n. 1574, p. 521; n. 1576, p. 523, etc.) and from two letters (Feb.-March 1389) sent by George de Rain, master of arts at Paris, to a friend in Vienna (CUP III, nn. 1569—70, pp. 513—15).

At the same time, the controversy is a witness to the growing acceptance of the belief among the masters of the University. Contemporary sermons and treatises show that it was fast becoming the more common opinion. Not until March 3, 1497 (old style, 1496), however, did the University, or more specifically the Sorbonne, decree that all who pursued academic degrees were to swear to defend the Immaculate Conception[99].

Controversy in Spain

The affair at Paris was not without repercussions in Spain, particularly in Catalonia. Montesono on his return found supporters among his confreres, especially the General Inquisitor of Aragon, Nicholas Eymeric. The latter had constantly treated the defenders of the Immaculate Conception (whose inspiration came largely from Blessed Ramón Lull) as heretics and objects of punishment. His agitations provoked the ire of Juan I, who twice exiled him and finally issued a famous Pragmatic (March 14, 1494; o. s., 1393) in which he formally proclaimed his belief in the Immaculate Conception, and forbade henceforth all preaching and public teaching to the contrary[100].

When Eymeric returned from exile after the death of the king (1397), hostilities were renewed, for Martin I felt bound to confirm the Pragmatic of his brother in January 1389. This was renewed once more by Queen Maria in 1438, and those who publicly opposed the doctrine were denounced as guilty of lese majesty[101]. These acts mark the beginning of the glorious tradition of the monarchs of Spain as champions of the Queen of Heaven.

Later, in the century beyond our survey, Alfonso V (1417) was to urge the Emperor Sigismund to promote both the doctrine and the feast at the Council of Constance; and again, in 1425, asked for a Council which would effect a world-wide acceptance of the feast. At the Council of Basel John of Segovia (1433) represented the king of Castille and the University of Salamanca and in 1436 was much occupied with effecting a conciliar definition of the doctrine. His answer to the chief opponent, the Master General of the Preachers, made much use of Petrus Thomae and John Vitalis[102]. Mainly through his efforts, not always prudent, the Council (already illegitimate) pronounced the famous decree of September 17, 1439, that the doctrine was pious, in keeping with the liturgy, the Catholic faith, right reason and Holy Scripture, and should be held, approved and embraced by all Catholics.

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[98] CUP III, n. 1559, p. 495.

[99] Thus: Statuentes ut nemo deinceps sacro huic nostro collegio adscribatur, nisi se huius religiosae doctrinae assertorem strenuumque propugnatorem semper pro viribus futurum simili iuramento profiteatur (quoted by X. M. Bachelet, *art. cit.*, col. 1126).

[100] As quoted by X. M. Bachelet (*ibid.*, *col.* 1088): Firmiter credimus et tenemus quod praefatae huius sanctissimae Virginis sancta fuit penitus et electa conceptio . . . Nec amodo licet, immo fortiter prohibemus quibuslibet evangelizantibus sive praedicantibus verbum Dei quidquam exponere vel proferre in aliquam puritatis ipsius benedictae conceptionis iacturam.

[101] Cf. A. Braña Arrese, *op. cit.*, p. 94.

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[102] Cf. the text in P. Alva y Astorga, *Septem allegationes et totidem avisamenta pro informatione Patrum concilii Basiliensis* (Lovanii, 1664). See A. Robichaud, "The Immaculate Conception in the Magisterium of the Church before 1854", *Marian Studies*, V (1954), pp. 93—95, on opinions concerning the legitimacy of the Council, etc.

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THE MEANING OF ANALOGY

Since early greek philosophy analogy has had a distinct place in philosophic discourse as a mode of definition and proof. This is not to say that there has ever been or is now any unanimity about the nature of analogy. On the contrary, differences as to the nature, function and limits of definition and proof are reflected in disagreements about the place of analogy in philosophic discourse.

A casual look at the etymology of the term, analogy, reveals in almost enigmatic form the nature of the problem. The word, analogy, has as its root term, *logos*, prefixed by a preposition which means close to, approximating, like, etc. Although the term, *logos*, almost proliferates meanings, there is ample historical precedent for including among its primary meanings the notions of definition and proof. Thus the term, analogy, signifies that which approximates or is like a definition or a proof. If there were no philosophic differences as to what constitutes definition or proof, the meaning of analogy would be clear enough. But precisely because analogy means an approximation of definition or proof, and these latter are themselves problematic, the difficulty in explicating the notion of analogy is compounded.

In the first place, there is the problem of construction, or the question as to how definition or proof can be approximated. Secondly, the problem of function, or the question as to the conditions under which analogy is either necessary or useful. These two problems are so related that the answer to the question concerning the necessity or utility of analogy in philosophic discourse will in turn delimit the conditions for the discovery, articulation and testing of analogies within particular contexts. Hence, this paper has two objectives: 1. to sketch three interpretations of analogy which are intended as an exhaustive list of prototypical meanings of analogy; 2. to specify in broad terms the philosophic assumptions which must underlie any workable theory of analogy. Because of the mode of presentation used in the paper, these two objectives will not be treated as separate sections but as interwoven parts of a single analysis.

Despite profound differences among philosophers as to the criteria for judging the nature and utility of analogy, there is a surface agreement in regard to the verbal expression of an analogy. This agreement to a great extent rests on the fact that an analogy always verbally expresses a likeness between two entities. The expression of likeness necessitates a minimum of two propositions of which one may be tacit as in the case of metaphor. But a fully articulated analogy has at least two propositions which have different subjects but have at least verbally the same term as predicate[1].

To be like in the sense of having a common predicate establishes a relation between the two subjects having the common predicate. Hence, the propositions in an analogy are themselves connected. To be sure, the way in which propositions in an analogy are connected is not to be thought of as an instance of a suppressed syncategorematic term. But the very fact of connected propositions suggests at least an affinity to some form of inference or implication.

In order to specify the relation of analogy to any form of discursive reasoning, it is first necessary to delimit the elements and conditions of an analogy. The primary condition in the construction of an analogy is the discovery of likeness between different entities. As used in this context the meaning of likeness is restricted to aspects of similarity but excludes total identity. If analogy is conceived as an approximation of proof, then the reason for excluding total identity from the meaning of likeness is clear. For formal argumentation necessarily rests on some version of the principle of identity. And if the way in which the propositions in an analogy are connected differs from the connections which hold among propositions in formal argumentation, the principle of the connections must also differ in both cases.

The exclusion of total or simple identity from the connotation of likeness has the consequence that every assertion of likeness entails or supposes a condition of difference. Thus an analogy is based on likeness, but likeness qualified by difference. This is not to say that an analogy is based on aspects of similarity and admits but disregards aspects of difference. On the contrary, what is meant is that in an analogy the common predicate belongs to the different subjects for a single reason which is, however, ambiguous. The ambiguity stems from the fact that two entities which are qualitatively the same may have a common property, but have it with quantitative differences. Or two qualitatively or essentially different entities may have a common predicate in which case the similarity is operational or constitutive. The second source of ambiguity lies in the disagreements regarding the criteria of qualitative or essential differences in respect to the conditions and constitution of knowledge.

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[1] This description of an analogy seems to say that similes which have two subjects and two distinct predicates are not analogies. Without defending my contention here, I think it can be shown that a simile with different subjects and predicates can be reduced to an analogy of the description given. The method of reduction which is supposed in the construction of a simile consists in showing that the different predicates designate like functions or similar constitutions in the two subjects. And it is the similarity of function or constitution which is the ground of the simile. Hence all similes are analogies which have been elaborated for uniquely literary reasons.

The recognition that every analogy is ambiguous in one of these senses can be verbally accommodated by expressing the propositions in an analogy in the form of a proportion. Thus schematically an analogy reads: A : C : : B : C, where A and B symbolize single subject terms, and C stands for a single predicate term. By expressing an analogy in this fashion, emphasis is placed on the fact that the three component terms of the analogy are related in a mediate way between identity and difference. Proportion, thus, is the synoptic expression of similarity in the context of difference. Although the use of proportion clarifies the primary condition of analogy (the meaning of likeness), it does not resolve the ambiguities which necessarily attend the construction of an analogy. Instead, the use of proportion calls immediate attention to the fact that there is a problem with respect to the meaning of the elements in the analogy, i. e., the terms, particularly the common predicate.

The crux of the matter and the source of the difficulty in establishing and evaluating analogies is precisely this: can the common term, C, be anything other than univocal or equivocal? Every term taken singly, if it is to be discursively significant, must have at least a singleness of meaning and reference. Of course a term may have multiple meanings and references, but the problem of analogy does not turn on its proximity to equivocation. On the contrary, if the two propositions which constitute an analogy are to be related through a common predicate, there must be some kind of unity of meaning or reference established.

If the unity of meaning or reference is sought in the analysis of the common term, C, failure is inevitable, because the meaning and reference of the term, C, in an analogy is specified by its proportional relations to the subjects of which it is predicated, and not the relation specified by the meaning. An example will help to clarify this last assertion. Given the term, good, as applied both to a certain pleasure and to a particular musical composition, the question as to what connection is established between the two subjects of the predicate, good, cannot be determined by an analysis of the meaning of good. For good will be given either a univocal meaning which will render it generic, and, consequently, the two subjects will be members of a class; or good will not be given a significant definition, in which case the relation between the two subjects remains undetermined and, *a fortiori*, the analogy unanalyzed.

What is suggested here is that no term taken singly is in itself analogical. On the contrary, individual terms in respect to their meaning and reference are necessarily either univocal or equivocal. What remains, then, if analogy is not determined by the meaning and reference of the terms taken singly, is that the proportions which hold between the two subjects and the common predicate both constitute the analogy and the ground for specifying the particular meaning and reference of the common term in the two propositions.

Viewed in these terms, the problem of analogy initially consists in discovering alternative interpretations of the relation of proportion between subject and predicate. In turn, the exposition of such alternatives will itself be a categorization of kinds of analogies. The principle of division to be employed in the specification of the alternatives is the tripartite function of a term itself. For a term serves as a symbol of a meaning which has a reference. Thus the alternatives for interpreting the relation of proportion between subject and predicate turn on logical, epistemological and ontological emphases. Consequently, the nature and function of an analogy in philosophic discourse will have three basic interpretations corresponding to these three emphases.

If the relation of proportion between subject and predicate is viewed logically, i. e., term *qua* symbol, the most obvious relation is that of predication itself. Taken generically, predication is primarily a combinative or conjunctive function of symbols, although indeed the analysis of the operation of predication may serve as an index to both psychological operations and to ontological commitments. The latter possibilities can for the present be disregarded, for the importance of their roles emerges with the further delineation of predicamental relations. If predication itself is taken as the basic relation between the subjects and predicate in an analogy, the only community or unity which can be found between the two propositions will be the common relation of thing and property. And that relation must be conceived in a purely formal sense. The consequences of this kind of analysis are:

1. the meaning and reference of the common term in the analogy is rendered either in a univocal or equivocal fashion; 2. if univocally defined, the analogy is interpreted as asserting that the common predicate, while constitutively or operationally the same, differs only in degree in its application to the two subjects which must be related as two members of a class; 3. if the common term is held to be equivocal, all that can be asserted about the relation of subjects to predicate is that they seem or appear to be functionally or constitutively similar. Consequently, from the viewpoint of logical analysis, an analogy becomes in argumentation either a kind of probable argument or a rhetorical device which may at best serve to clarify meanings not easily understood or exemplify references not readily experienced. On the one hand, an analogy is understood as a weak induction if the common term in the analogy is univocally interpreted. For in this event what connects the two propositions is the fact that the subjects are both members of a single class, and the proportional relation between the subjects and predicate can be regarded as incidental. On the other hand, a logician regards an analogy as simply a rhetorical device if he interprets the common term in an equivocal fashion. For on this ground no connection can be found within the two propositions which will allow the analogy to be an approximation of an argument.

In sum, an analogy from a logical view either inevitably breaks down in argument or has no proper place in argumentation. To take these alternatives as final and correct interpretations of analogy has consequences of such scope as to warrant reexamination of the premises on which they are based. For example, logical analysis in judging analogy with the canons of formal argument locates truth primarily in symbolic functions in contradistinction to the nature and operations of mind as well as to the structure of reality. That this procedure contributes to precision in expression is granted. But is it the case that analogy should be discounted as a valid mode of argument simply because the necessarily inherent ambiguity in an analogy cannot be resolved by logical means?

In a very real way the understanding of the history of philosophy depends upon a sympathy with analogy as a valid form of argument. Without analogy so conceived it is impossible to understand the Greek and medieval doctrines concerning opinion and truth, essence and existence, speculative and practical sciences, nature and art, reason and law, and beauty and goodness. To be sure it can be asserted that the mistaken use of analogy by the greeks and medievals has resulted in more confusion than clarity. Perhaps so, but it seems almost impossible to regard the basic analogy between a Platonic dialogue and the actions and thoughts of men as an inconclusive induction or as a literary homily. For if a dialogue itself is not conceived as verbally proportioned to the activities of men, what justification can there be for clothing doctrines in personalities and circumstances? Conversely, if the analogy between men and arguments is in any sense sound, its justification depends on a non-logical interpretation of analogy.

The principal thesis of this paper can now be stated. The meaning of an analogy as well as the question of its strength as a mode of argument can be properly evaluated if and only if the verbal formulation of an analogy is seen as dependent on epistemological and ontological assumptions. This means that the connection between the propositions of an analogy is not a formal one, in the sense that a common term may connect propositions. Moreover, since there is of necessity an ambiguity of meaning or reference in the common predicate term, there is need for additional assumptions to prevent the ambiguity in the common term from being equivocally interpreted. For the consequence of equivocal interpretation is to see analogy only as a rhetorical device. The positive contribution of such assumptions is to furnish contexts such that the common predicate term can be understood as proportionally related to the different subject terms. If a predicate signifies something about the constitution or operation of the subject, then assumptions either about the way the subjects are ultimately constituted or about the way in which they are understood are necessary to understand and justify the verbal similarity of a common predicate. Thus epistemological and ontological assumptions are required if analogy is to function as a conclusive form or argument. For logical assumptions alone cannot accomodate the proportional character of meaning and reference of the common term which is necessary to an analogy. In sum, ontological and epistemological assumptions are required to provide contexts in which analogy can become fruitful, and an exposition of basic alternatives among such assumptions accounts for the variety and uses to which analogy has been and can be put.

It was asserted above that the most obvious relation between AC and BC is simply the predicamental relation between thing and property. Verbally this is clearly the case. But on terminological grounds alone there is no discernible difference between an analogy and the two propositions with all univocal terms. Hence, the constitution of an analogy initially depends on the ontological or epistemological assumptions made about thing and property.

Both thing and property may ontologically refer to individuals or classes. There is at this point no need to introduce either the problem of universals in regard to the term, class, nor to subdivide further the notion of property into essential and accidental or necessary and sufficient, etc. What should be observed is that a property may be related to the subjects as constitutive of the subjects or as specifying a function or operation of the subjects.

Broadly stated, analogies may assert either constitutive or operational relations between individuals and properties or classes of properties; between individuals and classes; or between classes and properties or classes of properties. This statement of the elements of an analogy needs still another qualification, because what is insisted on here is that an analogy depends on ontological or epistemological assumptions for the correct interpretation of the meaning and reference of its linguistic structure. The assumptions which are germane to the question of analogy are those which will effect a relation among the elements of the analogy such that either the meaning will not be reducible to univocity or that the references of the common term will not be limited to a verbal interpretation of the class-membership relation.

The index to the kinds of such assumptions lies in the distinctions already made concerning the possible relations of subject and predicate terms. In taking the distinction between constitutive and operational predicates coupled with the distinction between individual and class subjects, at least two possible kinds of assumptions emerge — both of which provide other than verbal conditions for analogies.

Broadly stated the non-verbal conditions for the construction of analogies concern the structure of the universe and its intelligibility. The distinction between class and member may be interpreted both in an ontological and an epistemological way as opposed to a purely verbal interpretation. The first possibility regards the class as ontologically prior to its members, and the second possibility consists in an affirmation of epistemological priority of class to member but denies the ontological order between them.

Ontological priority of class to member means that the members do not in fact constitute the class; rather, a member of a class is such only because it shares in the character of the class. Such priority equally involves the assumption that the intelligibility of any member of a class depends upon the intelligibility of the class itself. On these assumptions any two propositions which have as subjects two members of the same class, and have as predicate the class, have not only the community of definition, but also exhibit a unity of proportion. For example, if man is predicated of two individuals, Joe and Bill, the two propositions form an analogy. What connects the two propositions is not simply the common predicate. For although Joe and Bill are men for the same reason, i. e., essential constitution, yet there is a problem in understanding how the same definitive term applies to different individuals. The problem arises in this fashion. If an individual is a member of a class because of an ontological dependency on the class, then all of the properties of the individual which serve to identify the individual as a member of the class also are ontologically dependent. In effect, this means that for purposes of understanding and expressing the relation of a member to a class, no distinction can be drawn between essential and accidental. Consequently, since two members of the same class do differ with respect to class properties, it is impossible that the common predicate be univocally interpreted. But there is need for some kind of unity if the propositions are to be connected. And if the unity is not to be had in the univocity of the common predicate, the obvious alternative is the assertion of a unity of reference. The ontological unity, however, between class and members cannot be arithmetically additive. Hence, the only kind of unity which will at the same time allow for both the multiplicity of the members of a class as well as a common genetic dependence on the class will be a unity of proportionate participation. Granted that there is no distinction between essential and accidental properties in respect to class constitution, and granted that there are two members of the same class who differ in respect to the possession of class properties, the only mode of understanding their relation to the class will be in terms of a proportion. The notion of proportion will, thus, be the key to the understanding of the common predicate, and consequently the notion of proportion itself is the connection between the two propositions in the analogy.

If the individual subjects or members of a class have as a common predicate not a class but a single property of the class, the ground of the analogy remains the same. For in such cases operational predicates can only be proportionately understood if the operational predicate is seen as dependent on the constitution of that class. Where the relation between class and member is an order of ontological priority, the distinction between operational and constitutive predicates is not an ultimate distinction. On the contrary, the understanding of operational predicates depends upon the discovery and articulation of the appropriate constitutive predicates and these in turn, on the discovery and understanding of the class to which the predicates belong.

The explication of an analogy which has an operational predicate thus involves a chain of proportions. And it is this very chain of proportions that constitutes argumentation in this mode. As to whether or not this mode of argument is valid and can issue in certitude depends upon whether or not two difficulties can be overcome. The first problem is that of infinite regress, primarily in an ontological sense, which if not overcome will limit the argument to a more or less probable inference. The second problem only arises if the first is solved, that is, if there is no infinite regress. The problem then is to establish an intelligible continuity through the chain of proportions to the terminus of the series.

These problems are particularly embedded in an analogy in which the subjects are classes rather than members of classes. When the subjects of the analogy are members of a single class, the explication of the analogy turns on the discovery of the proportional interpretation of the class as predicate. If, however, distinct classes are to be analogized, the ultimate ground of similarity must be found in some kind of extra-class terminus. The need for an extra-class terminus stems from the fact of the ontological priority of class to member. For if the class is the ground of similarity among its members, then there must also be an ontological ground of similarity among classes. And if an infinite regress is to be avoided, the ground of similarity among different classes must necessarily have the character of an absolute. Thus being or existence itself is an instance of such an absolute. Granted that such an absolute prevents the series of proportions from inconclusive wallowing in an infinite regress, the second problem of knowing the absolute and its relation to the classes remains. Surely the absolute is not known as are the classes nor articulated as are the proportions between classes or members.

The way in which the absolute is known must be set off from all ordinary inferential procedures. What remains, then, is a mode of knowing which is immediate or intuitive. Because the absolute is known in a non-discursive way, it is clear that its content cannot be specified or circumscribed by any univocal form of expression. Yet unless the relation of the absolute to the classes can be articulated in some fashion, there is no philosophical advantage in having the absolute. Historically this problem has been addressed in a variety of ways, probably the most notable of which is the Platonic myth[2]. As seen in the context of the problem of analogy, the myth has a dual role. It is, on the one hand, an archetype of analogy inasmuch as its content is a proportion of verbal expression to the intuitive grasp of the absolute. On the other hand, it serves to unify and coordinate into a single discourse all other analogies appropriate to a given problem. An example may help to clarify this double function of the myth. The speech of Socrates in the *Symposium* has Diotima describing a ladder of love which leads to the vision of the idea of the beautiful. To be sure, the idea of the beautiful is not and could not be defined. Yet the ladder of love is not only a contentual propedeutic for the intuition of the beautiful, but is also a procedural directive for resolving the oppositions found in the several encomia and unifying them in a single discourse.

What is suggested here is that the myth as the archetype of all analogies is itself the most cognitive element within the dialogue because its subject is the absolute. Moreover, because the absolute is a principle of order among the analogies of classes, the myth as an expression of that order takes on the function of proof or demonstration. To say that myth has the character and function of a demonstration may well seem extravagant. But this is a necessary consequence of assuming that the stages of argument are analogous to the levels of reality and activity.

If the problem of certitude is raised concerning analogical arguments in this mode, the answer rests upon the insistence on the cognitive character of myth with a commensurate insistence on the cognitive function of intuition. Parenthetically, it should be noted that authors employing this mode of argument inevitably insist that at least in one respect intuition is the most certain way of knowing. The question of the validity of analogical arguments depends, broadly stated, upon the selection of the appropriate terms for the analogy where appropriateness is tested in terms of universality and necessity and expressed in definitional form to account for the ontological proportions of the subjects analogized. Validity so conceived is intimately connected with certitude and the difference between them can be reduced to a verbal aspect.

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[2] It should be noted that the philosophic function of myth has a theological parallel in revelation, and that the role of intuition is also paralleled theologically by the function of faith. A sign of this parallelism can be found in the medieval discussion of the transcendentals, such as good and true. In Aquinas particularly, transcendental terms assume a qualitative character which can proportionally express the ontological relations between God, man and nature, as well as provide the verbal connectives between revelation and human inquiry. Such functions obviously assume a doctrine of proportionality which in turn necessitates an analogical mode of discourse as the only mode appropriate to the subject matter.

It is, however, not necessary for the construction or interpretation of analogies to assume an ontological relation or priority between class and members. Instead, a relation of priority between class and member may still be affirmed but the character of the priority may be epistemological rather than ontological. This means that the intelligibility of classes depends upon the constitution of its members, and the constitution of the members is discovered in their operations or functions. The character of an analogy based on these assumptions deals with operational similarities as revealing likenesses in constitution rather than with an ontological community of dependence. To put the matter in another way, the ground of analogy in this mode is process itself rather than being and the proportions of the analogy are conditioned by an assumption of a relation of imitation among the processes appropriate to the various classes rather than a relation of participation common to all classes.

On the assumption of epistemological priority any two propositions which have as subjects two members of the same class and have as predicate the class or a property of the class would not, strictly stated, be an analogy. The reason for this is the fact that the intelligibility of the class depends upon the functions and constitution of the members. Hence, the distinction between constitutive and operational predicates is in this mode a primary distinction. For the possibility of unity of reference or the univocity of meaning which is to hold between class and members depends upon the discovery and articulation of the differences between operational and constitutive predicates.

The classical solution to this problem may well be cast in the Aristotelian distinction between essential and accidental predicates. The significance of this distinction for purposes of the examination of analogy becomes apparent in the analysis of two propositions which have a common predicate but have either distinct classes or members of distinct classes as subjects.

Given the unity of reference between class and members and the univocity of the class, two propositions with different classes as subjects can be related only inasmuch as the common predicate either specifies a source of like operation or names the function itself which is similar in the two cases. Since the intelligibility of the class depends upon the intelligibility of the operations of its members, the ground of analogy in this mode will be a doctrine of causality particularly in a productive or operational sense. It might help to clarify this last point if it is remembered that the causal doctrine as intended here has historically often been expressed in the distinction between essence and existence or actuality and potentiality.

The sense of an analogy in this mode then depends on seeing that a given generic effect can be produced in different modes by different classes or members of distinct classes. The proportion that holds between two propositions in such a case is, however, not itself the ground of unification between the two propositions as it is in the case where the order between the two subjects is ontological. On the contrary, here the unity, although expressed proportionally, depends on seeing that the common operation or product belongs primarily and appropriately to one subject and is only attributed to the other. For example, to say that an electronic computer is temperamental in the way that men are is to attribute to the machine a mode of action which is appropriate to men but attributed to the machine because of a univocal way of interpreting the effect of such behavior. Conversely, it is the univocal character of the effect, form or end which is the ground of unity between the propositions in the analogy. And since the class subjects are viewed operationally with respect to the univocal character of the effect, form or end, the specific unity which is had between the propositions in the analogy is one which historically Aristotle formulated as the doctrine of imitation in contradistinction to any kind of Platonic participation.

As to whether analogy in this mode can be validly employed as a form of argumentation and whether or not it is productive of certitude involves considerations other than those applicable in the case where the relation between subjects is one of ontological priority. It has already been stated that in an analogy formulated on epistemological assumptions one proposition is to be conceived as primary because the common predicate belongs to one subject in a univocal and appropriate way, and is only attributed to the other subject. Consequently in analyzing an analogy formulated in this mode, there will be no danger of an infinite regress, for by assumption one proposition is by its very nature first or primary. But because of the single and univocal character of the predicate term of the primary proposition the strength of this form of analogy as a mode of argument depends upon the intelligibility of the subjects in relation to the common predicate. Since in one proposition of the analogy the predicate is only attributed to the subject and either does not appropriately belong to the subject or could not be known to be appropriate, the argument cannot produce absolute certitude. This does not mean that the argument rests on an incomplete induction. On the contrary, if the predicate is appropriate in the primary proposition, there is no question of further induction, for an appropriate predicate on this view reveals the very nature of the primary subject. What is at stake is both the difficulty of determining whether or not the predicate of the primary proposition is genuinely appropriate or essential as well as indirectly confirming the assumption that all processes irrespective of the class subjects to which they belong are causally alike.

It is at once evident that both these problems admit neither of a ready nor a single solution the contradictory of which is self-contradictory. But this fact alone does not vitiate the analytic practice of using analogies to differentiate diverse modes of thought, behavior and production as well as to argue analogically toward the discovery and articulation of appropriate predicates in each specific mode of activity. Contrary to the mode of analogy which has at base ontological assumptions which make the ultimate realities most intelligible, this mode of analogy leaves open to inquiry the ultimate nature of existence and thought. The existence of the prime mover, the ideas of pure reason and the skeptical system of philosophy while radically diverse in philosophic import are, nevertheless, all results of this mode of argument. What is important here is not the difference in philosophic outcome but rather the necessity for seeing that the very meaning of an analogy in this mode must be found within the context of other than logical assumptions.

To speak of the opposition between metaphysical and logical assumptions should not leave the impression that the logical mode of examining analogies in no way involves ontological assumptions. On the contrary, whether the ontology is interpreted or not, one fundamental assumption must be allowed before any two propositions expressing a relation of members to a single class can be examined. This assumption may well avoid the question of ontological or epistemological priority between class and member, but then only a verbal order can be asserted. And if logical analysis is to apply to the world of experience or to reveal in any measure the processes of thought, it must be assumed that language, nature and thought are homogeneous in some way, albeit amorphous. This assumption has the effect of restricting the meaning of nature to experience, and experience to the testable character of communication. Finally, the restrictive character of the assumptions of logical analysis either excludes argument from analogy altogether from the category of inference or, on a more modest view, sees analogical argument as a problematic induction.

The common assertion that an analogy consists in nothing more than specifying one or more similar aspects of two entities can now be evaluated. Such a notion of analogy conceals an ambiguity which this paper has attempted to clarify. The ambiguity in question turns on the notion of similarity, for the discovery and expression of likeness directly depends upon those conditions which determine the context in which comparison is to be sought. Because every expression of similarity involves also a perception or understanding of the entities which are declared to be similar, the diverse orders among these three elements produce differing conceptions of the nature and use of analogy.

Thus the three conceptions of analogy which have been sketched reflect the different concepts of similarity. The assumption of levels of existance and thought unified by some form of participation results in a notion of analogy which, borrowing Cajetan's[3] terminology, can be named the analogy of proportionality. Here knowledge, existence and language are similar and consequently discourse about nature, mind and symbol is unified by the transcendent character of myth. Argumentation in this case must proceed analogically and only analogically, for it is myth that guarantees the certitude of insight and regulates the forms of discourse.

A second kind of analogy which has been outlined rests on the assumption that genuine or appropriate knowledge to man is causal in character where cause specifies the conditions of the processes of thought, action and production. What is similar here are the processes themselves rather than the ontological status of the entities involved in the process or the knowledge belonging to or about such entities. In a philosophy where a fundamental plurality of kinds of things and processes is assumed analogy is based on the similarity of the causal process and this similarity is formalized in some version of a doctrine of imitation. The mode of analogy appropriate to such doctrines has, in the language of

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[3] An excellent bibliography particularly of the medieval treatments of analogy appears in: Cajetan, THE ANALOGY OF NAMES, pp. 84—87, Duquesne Studies, Philosophical Series, 1953.

Cajetan, been called the analogy of attribution. Arguments made in this analogical mode cannot claim the certitude of insight afforded by arguments based on myth, but the weakened certitude or probability to this mode of argument is due to the limitations of intelligibility which are inherent in the subject matter rather than to a weakness in inductive procedures.

A third conception of analogy was sketched which certainly represents the most common view of this question. Basically this conception of analogy is predicated on the assumption that certitude about the structure of the world and the operation of mind is to be measured by the validity of the forms of discourse used in treating these subjects. Here similarity is grounded on the functions of symbols and the forms of discourse. At best only probability is conceded to argument from analogy in this mode, and the degree of probability is determined by the formal canons of induction. Analogies are thus interpreted in a quantitative way in terms of the laws of sampling, or put simply, by the criterion of more or less. To continue using the language of Cajetan, this mode of analogy might well be called the analogy of inequality.

A final problem needs to be raised. If there are differing concepts of analogy, what relation can be found to hold among them; or is it the case that one or two are patently false or absurd? While the content of this paper does not pretend an answer, it does provoke the hypothesis that the analogy of proportionality is the primary form of analogy and that all other forms of analogy are such only analogously.

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CICERO'S DE OFFICIIS
AND
DE OFFICIIS MINISTRORUM OF ST. AMBROSE

In his treatise, *De Officiis Ministrorum*, modelled after the work of Cicero, St. Ambrose produced the first synthesis of Christian morality in the West. Certain theoretical and practical aspects of this subject were adequately treated by earlier writers, as Minucius Felix, Tertullian, Cyprian, and especially Lactantius. But Ambrose was the first to treat the whole matter systematically, wherein he combines what was best in Stoicism with the new conceptions of Christianity. He thoroughly christianized his model, and elevated the natural morality of the Stoics to the supernatural plane. This study of the two works will demonstrate Ambrose's reinterpretation of the ethics of the Stoics in the light of faith.

One of the chief duties of St. Ambrose as bishop, was the formation of his spiritual sons, his clergy, and especially the candidates for Holy Orders. ,,Just as Cicero wrote for the instruction of his son", Ambrose declares, ,,so I also write to teach you, my children. For I love you, whom I have begotten in the Gospel, no less than if you were my true sons. For nature does not make us love more ardently than grace"[1]. While the work primarily serves as a source of instructions for young clerics, it also gives general principles of Christian ethics which may be followed by the laity. Not only Augustine[2] and Cassiodorus[3] praised the work highly, but it was used as a guide on ethical questions throughout the Middle Ages. The manuscripts of the work, and the numerous summaries and compilations of extracts, show how widely and carefully it was studied[4]. Thus Ambrose has been ranked among the most distinguished authorities of the Middle Ages on the subject of ethics[5].

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[1] St. Ambrose, *De Officiis Ministrorum*, I, vii, 24. All references made to this work are cited from the *Patrologia Latina, (P. L.)* of Migne, XVI, Paris, 1880. A critical edition of this work has not appeared in the *Corpus Scriptorum Ecclesiasticorum Latinorum, (C. S. E. L.)*. The large Roman numeral signifies the book; the small, the chapter; and the arabic numbers, the paragraphs. The same manner of notation will be used in citing Cicero's *De Officiis*.

[2] Hieronymus, *Epistola* 116, Migne, *(P. L.)*, xxii, 946.

[3] Cassiodorus, *De Institutione Divinarum Litterarum*, 16, Migne, *(P. L.)*, lxx , 1152.

However, in this work Ambrose nowhere assumes the tone of a thinker who is proposing to give a *Summa* of the moral principles with which he identified his faith and life. Far from proclaiming such ambition, he seeks the most unobtrusive method. It is a simple conversation on moral questions with his clergy, and by no means does he take the occasion to rectify many philosophic ideas current among the pagans[6]. In fact, he even states that he is little concerned with any methodical explanation, and that it is sufficient for him to paraphrase the beautiful examples of which the Scriptures offer such a rich harvest[7].

This treatise is undoubtedly a series of sermons or instructions to his clergy, gathered together in 391[8], and published under the title *De Officiis Ministrorum.* The assumption that this is a collection of discourses first orally delivered, is deduced from the terms of address found in the work[9], as well as the fact that certain sections could be taken out and form an independent *opus* in themselves. It would also explain the sequence, free style, and lack of order which characterizes the work, and so typifies the sermons of St. Ambrose.

The *De Officiis* of Cicero, like most of his strictly philosophical works, was written at the close of his life. It was composed during the interval between the death of his daughter Tullia, in February, 45 B. C. and the end of 44. On November 5th, he wrote to Atticus that he had then completed the first two books, and was progressing with the third[10].

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[4] F. Homes Dudden, *The Life and Times of St. Ambrose,* (Oxford: Clarendon Press, 1935), II, 503.

[5] J. G. Krabinger, *De Officiis Ministrorum,* (Tübingen, 1857), praefatio III: "hoc unicum ethicae Christianae enchiridion . . . quanto sit in honore habitum medio aevo, satis testantur huius libri codices manu scripti qui in variis bibliothecis hodieque asservantur."

[6] Pierre de Labriolle, *History and Literature of Christianity,* translated by H. Wilson, (London: Kegan Paul, Trench, Trubner Co., 1924), pp. 277—78.

[7] St. Ambrose, *De Officiis Ministrorum,* I, xviii, 72.

[8] This date is held by the Benedictines of Saint Maur; cf. O. Bardenhewer, *Geschichte der altkirchlichen Literatur,* (Freiburg, 1912), III, 529. But Ihm regards this date as uncertain; cf. M. Ihm, "Studia Ambrosiana", *Jahrbuch für klassische Philologie,* (Leipzig, 1890), Supplementband XVII, 27.

[9] St. Ambrose, *De Officiis Ministrorum,* I, iv, 15: "Sicut audisti hodie legi;" I, iii, 13: "Audisti hodie lectum." This matter is treated further by J. R. Palanque, *Saint Ambroise et L'Empire Romain,* (Paris: 1933), pp. 452—54.

[10] Cicero *epist. ad Atticum* 16, 11, 4: τὰ περὶ τοῦ καθήκοντος quatenus Panaetius, absolvi duobus: "Illius tres sunt; sed cum initio divisisset ita, tria genera exquirendi officii esse, unum, cum deliberemus, honestum an turpe sit, alterum, utile an inutile, tertium, cum haec inter se pugnare videantur, quomodo iudicandum sit . . . De duobus primis praeclare disseruit, de tertio pollicetur se deinceps, sed nihil scripsit."

He follows a clear and well-defined plan in the development of his subject, and synthesizes a practical and complete system of morals. This treatise was dedicated to his son, Marcus, who was engaged in the study of philosophy at Athens, under the guidance of the Peripatetic, Cratippus.

Cicero professed that he belonged to the New Academy[11], but he tells us that for the first two books he followed Panaetius, the Stoic, with some emendations[12]. In the third, he played his familiar role of an eclectic[13]. In general, we may say that the *De Officiis* is an exposition of moderate Stoicism, for he tones down some of the rigorous principles of its earlier exponents.

Cicero discussed the theoretical side of duty in the *De Finibus Bonorum et Malorum*, written the year before the *De Officiis* was begun. The *De Officiis* is related to the *De Finibus*, as the practical to the theoretical. The two make up the complete science, and are mutually helpful in explaining and supplementing each other.

The *Opera* of Cicero were quite popular at the time when St. Ambrose was confronted with the problem of expressing in Latin, Christian concepts of morals and conduct based on Scripture. The *De Officiis* in particular, expressed in Latin, the teachings of the Greek moralists, especially those of the Stoics. Ambrose mentions that Cicero had written a treatise on duties[14], but does not refer to him as his model or inspiration. For he clearly proclaims that it was while meditating on the thirty-eighth psalm that it occured to him to write his *De Officiis Ministrorum*[15].

However, it is obvious that St. Ambrose took this work of Cicero, and using its general plan and vocabulary, studied it carefully, and formulated it into a treatise of conduct for his clergy. The passages borrowed from Cicero actually form a small portion of the work of

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[11] Cicero, *De Officiis*, II, ii, 7. The text of Cicero for this paper will be cited from the Loeb Classical Library Series, edited by T. E. Page and W. Rouse, (London: William Heinemann, 1913), translated by W. Miller.

[12] *Ibid.*, III, iv, 20: "Quam (disciplinam Stoicorum) his libris sequimur;" II, xvii, 60: "Panaetius quem multum in his libris secutus sum;" III, ii, 7: "Panaetius . . . quemque nos correctione quadam adhibita potissimum secuti sumus . . . tertio autem genere deinceps se scripsit dicturum nec exsolvit id quod promiserat."

[13] Cicero mentions having used other sources: Poseidonius, III, ii, 8; Hekaton of Rhodes, III, xv, 63; Diogenes of Babylon and Antipater of Tarsus, III, xii, 51 to xiii, 53; xxiii, 91.

[14] Ambrose, I, vii, 24: "De quibus (officiis) etiamsi quidem philosophiae studentes scripserint, ut Panaetius et filius eius apud Graecos, Tullius apud Latinos; non alienum duae a nostro munere, ut etiam ipse scribere."

[15] *Ibid.*, I, vii, 23.

St. Ambrose, yet it is evident that he must have had Cicero's treatise before him while writing. The *De Officiis Ministrorum* consists for the most part in the exposition of scriptural texts to establish his interpretation, and of illustrations of his doctrine by examples taken from the Old and New Testament, and from the history of the early Church until the time of the composition of the work.

In its general plan or outline, St. Ambrose's work runs parallel with that of Cicero. In each, the main theme of the first book is the *honestum;* that of the second, the *utile;* the third considers the two in conjunction, and is commonly titled, *contentio honesti et utilis*. There is also a close relationship in the various topics of the respective books, and in many instances St. Ambrose uses the very language of Cicero. St. Ambrose also borrowed a host of ideas from Stoic philosophy, of which Cicero was the eloquent interpreter. Such as the distinction between reason and the passions, the consideration of the sovereign good, the classification of the four cardinal virtues, the division of duties into *perfectum* and *medium*, and the value to be given to the judgement of conscience. It is true that he sets forth these ideas in a far different approach, and justifies them with reasons that Cicero could not have presented. However, Ambrose assimilated from Cicero all the good, and incorporated it into his synthesis of Christian morality.

LIBER PRIMUS DE HONESTO

St. Ambrose opens the first book with the words of Holy Scripture: ,,Come, children, hearken to me: I will teach you the fear of the Lord''[16]. Continuing with this sacred source for the first few pages, he expounds first of all on the virtue of silence. Later on in the same book, he defines it as the foundation wherein all the other virtues rest[17]. We must guard our mouth so that our speech does not proceed from evil passions, but from good motives[18], for this is where the devil is most active[19]. Silence is also meritorius because to keep silence is proof of humility[20], and in this matter we must imitate David's silence and humility, so that we may not even seem deserving of harm[21]. After these preliminary remarks on the value of silence, Ambrose announces that he will treat of duties, and with a far greater reason than Cicero, who wrote on this subject to his son[22].

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[16] Psalms XXXIII: 12.

[17] St. Ambrose, I, xviii, 68: "Silentium quoque ipsum, in quo est reliquarum virtutum otium, maximus actus verecundiae est. Denique, si aut infantiae putatur aut superbiae, probro datur: si verecundiae, laudi ducitur."

[18] *Ibid.*, I, iv, 14.

[19] *Ibid.*, I, iv, 15—16.

[20] *Ibid.*, I, v, 19 20.

[21] Psalms XXXVIII: 1—2; 2 Kings, XVI: 6 f.

The title *De Officiis Ministrorum* immediately suggests Cicero's famous treatise, but the word *officium* at this time was rare in ecclesiastical usage[23]. However, Ambrose justifies its use by stating the word occurs in the Gospel, by relating the incident when Zacharias, the priest, was struck dumb in the temple, and could not speak. St. Luke tells us: „Et factum est, ut impleti sunt dies *officii* eius, abiit in domum suam[24]." Ambrose continues that this is not inconsistent with reason, since we consider that the word *officium* is derived from *efficere*, and is formed with the change of one letter for the sake of euphony; or at any rate that you should do those things which injure *(officiant)* no one, but benefit all[25].

This term was also common to the philosophers, for Ambrose repeats Cicero's statement that *officia* were derived from the *honestum* and the *utile*, and that from these two, one should choose the better. „Then they say, it may happen that two virtuous or two useful things will clash together, and the question is, which is the more virtuous, and which is the more useful[26]?" Ambrose follows Cicero's threefold division as first found in the work of Panaetius[27], but adds that as Christians we can only regard something as *honestum* or *utile*, if it is helpful to our future life[28].

St. Ambrose shows that the Stoic philosophers, with special reference to Panaetius and Cicero, were constantly trying to effect a balance between the demands of uprightness and the enjoyment of the things of this life alone. On the other hand, the Christians measure virtue in terms of the life to come, and consider nothing as useful unless it is beneficial for eternity. "They (the philosophers) have judged that duty is derived from virtue and advantage, and that it is a choice of the better of the two . . . But we measure only what is fitting and virtuous, and that by the yardstick of the future, not of the present. We pronounce nothing advantageous except what is of worth towards the blessing of that eternal life, not towards pleasure here[29].“

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[22] St. Ambrose, I, vii, 24.

[23] St. Augustine remarks (*Epistola* lxxxii, 21): "Quia non tam usitatum est in ecclesiasticis libris vocabulum officii, quod Ambrosius noster non timuit, qui suos quosdam libros utilium praeceptionum."

[24] Luke, I: 23 (Vulgate edition).

[25] St. Ambrose, I, viii, 26.

[26] St. Ambrose, I, ix, 27; Cicero, I, iii, 9.

[27] St. Ambrose, *Ibid.*; Cicero, *Ibid.*

[28] St. Am., I, ix, 28: "Nos autem nihil omnius nisi quod deceat et honestum sit, futurorum magis quam praesentium metimur formula: nihilque utile nisi quod ad vitae illius aeternae prosit gratiam definimus, non quod ad delectationem praesentis."

Then Ambrose[30] refers to what Cicero calls *decorum*[31], and again takes over the Stoic distinction between *officium medium* and *officium perfectum.* Cicero had accepted the difference established by the Stoics between absolute duty, as the dictate of reason κατόρθωμα, and relative duty, καθῆκον. With Cicero, *officium perfectum* or the absolute good, was the perfect right performed only by wise men, of whom there were only a few. On the other hand, *officium medium* concerned itself with what was Good only in relative to the Absolute Good — and although inferior to the Absolute Good, it was not to be despised. In his *De Officiis,* Cicero treats primarily of the second category of duties, which appeared to him to possess a more general and practical interest[32].

St. Ambrose on his part appropriated the traditional distinction, and confirmed it with the authority of Scripture. Harnack remarked that in doing this Ambrose ,,contributed in a large measure to secure for it the permanent approval which it later obtained in the Catholic Church[33]“. St. Ambrose tells us:

> Every duty is an ordinary duty or a perfect duty; this we can prove also from the authority of the Scriptures. Let us listen to the Lord in the Gospel: "If thou wilt enter into life, keep the commandments' . . . 'Which?' asked the young man; Jesus answered: 'Thou shalt not kill, thou shalt not commit adultery, thou shalt not steal, thou shalt not bear false witness. Honor thy father and thy mother, and love thy neighbor as thyself[34].' These are the ordinary duties in which there is still something wanting.
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> "The young man adds, 'All these have I kept from my youth, what is yet wanting to me?' Jesus said to him: 'If thou wilt be perfect, go, sell what thou hast, and give to the poor, and thou shalt have treasure in heaven; and come, follow me[35].'

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[29] *Ibid.*, I, ix, 27—29.

[30] *Ibid.*, I, x, 30.

[31] Cicero, I, xxvii, 95: "Hoc loco (honestum) continetur id, quod dici Latine decorum potest; Graece enim πρέπον dicitur."

[32] *Ibid.*, I, iii, 8: "Perfectum officium rectum opinor, vocamus, quod Graeci κατόρθωμα; hoc autem commune officium καθῆκον vocant . . . rectum quod sit, id officium perfectum: medium autem officium . . . quod cur factum sit, ratio probabilis reddi possit." In the same treatise he declares (III, iii, 14) "Haec officia, de quibus his libris disputamus, media Stoici appellant: ea communia sunt et late patent."

[33] A. von Harnack, *Dogmengeschichte*, (Leipzig, 1909—10), Index, under "Sittlichkeit, doppelte".

[34] Matthew XIX: 17—19.

[35] *Ibid.*, XIX: 20—21.

> "We read similar counsels when the Lord invites us to love our enemies, to pray for them that calumniate and persecute us, to bless them who curse us. This is what we ought to do if we would be perfect as Our Father Who is in Heaven . . .[36] This then is the perfect duty, which the Greeks call κατόρθωμα, by means of which anything which might have contained an element of failure is put right[37]."

Thus St. Ambrose combines the counsel of poverty with the precepts enunciated by our Lord in the Sermon on the Mount to make up the *officium perfectum*. Here again he uses the Stoic term, but in his interpretation, departs from the Stoic meaning.

Cicero goes on to say that the perfect duty is possible only to the wise man[38]. All others have only a semblance of it. Not even the Decii nor the Scipios were ,,Wise men", not even the seven wise men of antiquity could qualify, while the *officia media* are a sort of second grade moral goodness shared by mankind. St. Ambrose admits that the perfect duty is performed by the few, and the ordinary by the many[39], but he does not accept the Stoic notion that the wise man possesses absolute virtue. According to him, God alone is Good in the absolute sense[40].

Nothing escapes God's knowledge. Ambrose proves this from Scripture and the analogy of the sun, which although created, yet by its light or heat, enters into all things[41]. Those who are dissatisfied with the fact that the good reveive evil, and the evil, good, are shown by the example of Lazarus[42] and on the authority of St. Paul[43], that the punishments and rewards are reserved for a future life[44]. To confirm what he relates about rewards and punishments, Ambrose adds that it is not strange if there is no reward reserved for some in the future; for they do not labor here nor struggle. He goes on to say that for this reason, temporal goods are granted to these persons, so that they may have no excuse whatever for justifying their actions[45].

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[36] *Ibid.*, V, 44—45.
[37] Ambrose, I, xi, 36—37.
[38] Cicero, III, iii, 14—15: "Illud autem officium, quod rectum idem dicunt, omnes numeros habet nec praeter sapientem cadere in quemquam potest."
[39] St. Ambrose, III, ii, 10: "Alia igitur prima, alia media. Prima cum paucis, media cum pluribus."
[40] *Ibid.*, III, ii, 11.
[41] *Ibid.*, I, xiv.
[42] Luke XVI: 19 f.
[43] 2 Timothy IV: 7—8.
[44] St. Ambrose, I, xv.
[45] *Ibid.*, I, xvi.

St. Ambrose addresses his younger clergy and speaks of the duties to be observed throughout life[46]. He starts with the Ciceronian argument that duties vary with the times[47], and borrows from his Model the framework of most the duties which he enumerates. With Cicero, Ambrose treats in his first book of the duties of the young as well as those which are proper to the various stages of life[48]. Then he inculcates modesty at great length. At the outset, he tells us that the virtue of modesty is seen not only in our actions, but in our words[49]. Modesty must further be guarded in our movements, gestures and gait[50]. He proceeds further to say that one's gait should be in accordance with this virtue, and how careful one must be that nothing immodest comes forth from one's mouth[51], or is noticed in one's body. And borrowing the example from Cicero, Ambrose warns the clergy that ,,there are some who in walking, copy the gestures of actors, and act as though they were bearers in the processions, and had the motions of nodding statues, to such an extent that they seem to keep a sort of time, as often as they change their step[52]."

Ambrose, embellishing the succinct statement of Cicero[53], speaks of modesty in regard to the body[54]:

> Is not nature herself our teacher, who has formed to perfection every part of our body, so as to provide for what is necessary, and to beautify and grace its form? However, she has left plain and open to the sight those parts which are beautiful to look upon; among which, the head, set as it were above all, and the pleasant lines of the figure, and the appearance of the face are prominent, while their usefulness for work is ready to hand. But those parts in which there is a compliance with the necessities of nature, she has partly put away and hidden in the body itself, lest they should present a disgusting appearance, and partly too, she has taught and persuaded us to cover them.

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[46] *Ibid.*, I, xvii, 65.
[47] St. Ambrose, I, xvii, 63; Cicero, I, xxxiv.
[48] St. Ambrose, *Ibid.;* Cicero, *Ibid.*
[49] St. Ambrose, I, xviii, 67; Cicero, I, xxxvii, 134.
[50] St. Ambrose, I, xviii, 71; Cicero, I, xxxv, 126.
[51] St. Ambrose, I, xviii, 76; Cicero, I, xxxv, 127.
[52] St. Ambrose, I, xviii, 73; cf. Cicero, I, xxxvi, 131: "Cavendum autem est, ne aut tarditatibus utamur in ingressu mollioribus, ut pomparum ferculis similes esse videamur, aut in festinationibus suscipiamus nimias celeritates, quae cum fiunt . . ."
[53] Cicero, I, xxv, 126: "Principio corporis nostri magnam natura ipsa videtur habuisse rationem, quae formam nostram reliquamque figuram, in qua esset species honesta, eam posuit in promptu, quae partes autem corporis ad naturae necessitatem datae aspectum essent deformem habiturae atque foedum, eas contexit atque abdidit."
[54] Ambrose, I, xviii, 77.

And as Cicero warned Marcus against anger, Ambrose likewise admonishes his clergy. He tells them that when anger arises, they must check themselves, and if they cannot do this, they should at least keep their tongue from abuse[55]. Then he follows the division of Cicero that there are two kinds of mental actions: those of reflection, and those of passion; both distinct from each other. Reflection seeks out the truth; passion prompts and stimulates us to do something[56].

Both authors disagree in the case where Cicero makes those duties superior which rest on social instincts *(communitas)*[57], and Ambrose makes them depend on *Sapientia*[58]. Then Ambrose gives three rules of conduct held by Cicero and the Stoics: 1. that our passions are to be controlled by our reason; 2. we should observe a suitable moderation in our desires; 3. everything should be done at the right time and in the proper order[59].

These are principles of pagan ethics, but Ambrose applies them in a somewhat different manner from that in which Cicero applied them. He proceeds to show how Abraham, Jacob, and Joseph observed these principles in their conduct, and then argues that their conduct demonstrated the four cardinal virtues. Most of the remainder of the book treats of the cardinal virtues in detail, which we will treat separately in the last part of this work.

Concluding that we should observe propriety of speech, both in ordinary conversation and in holding discussion, he treats of jests. Ambrose applies Cicero's principles to the clergy that ,,Nature has not brought us into the world to act as if we were created for play or jest, but rather for earnestness, and for some more serious pursuits''[60]. So the bishop tells his clergy that although jesting is quite proper at times, it is unsuited to the clerical state[61]. And as an after thought, he brings in again the Ciceronian idea that their words should be plain, clear, and befitting the organ of speech[62]. It is quite obvious that we have arrived at a series of chapters where the very outlines of our authors coincide.

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[55] *Ibid.*, I, xxi, 90: cf. Cicero, I, xxv, 89: "Prohibenda autem maxime est ira in puniendo; numquam enim, iratus quid accedet ad poenam, mediocritatem illam tenebit, quae est inter nimum et partum . . ."

[56] St. Ambrose, I, xxii, 98: cf. Cicero, I, xxxvi, 132: "Motus autem animorum duplices sunt, alteri cogitatione, alteri appetitus cogitatio vero exquirendo maxime versatur, appetitus ad agendum."

[57] Cicero, I, xliii, 153.

[58] Ambrose, I, xlix, 251.

[59] St. Ambrose, I, xxiv; Cicero, I, xxxix, 141.

[60] Cicero, I, xxix, 103.

[61] Ambrose, I, xxiii, 102.

[62] St. Ambrose, I, xxiii, 104; Cicero, I, xxxvii, 133.

However, even though the similarity is more and more precise, Ambrose generally introduces his own commentary, and offers examples which are far more powerful and convincing than anything proposed by his predecessors.

LIBER SECUNDUS DE UTILI

Cicero begins the second book of his *De Officiis* with this sentence: "Quem ad modum officia ducerentur ab honestate, Marce fili, atque ab omni genere virtutis, satis explicatum arbitrer libro superiore[63]." St. Ambrose takes over this idea essentially: "Superiore libro de officiis tractavimus quae convenire honestati arbitraremur in qua vitam beatam positam esse nulli dubitaverunt quam Scriptura appellat vitam aeternam[64]." It is evident that when St. Ambrose wrote this sentence he had the above statement of Cicero before him, and introduced only a variation in the wording, but not in the sense. But to Cicero's sentence he adds the phrase that "a blessed life depends upon virtue, and Scripture calls the blessed life, eternal life". Just below we read much the same thing: "Certum est solum et summum bonum esse virtutem, eamque abundare solam ad vitae fructum beatae; nec externis aut corporis bonis, sed virtute sola vitam praestari beatam, per quam vita aeterna acquiritur[65]." Here again St. Ambrose takes over the Stoic language which could summarize the whole Stoic ethics: virtue is the only good; it alone produces the *vita beata*. But then he adds that through virtue, eternal life is gained.

He speaks of the riches of this world which do not bring happiness, but rather bar the path. Happiness can be gained by living virtuously. Thus a Christian, while despising the glory and the favor of men, can please God alone in what he does[66]. These ideas contrast with the teachings of the philosophers, who believed that the judgment of men was all important. Ambrose clearly demonstrates that the pagan philosophers of the past gave many definitions regarding this problem, but they rarely adhered to their definition[67]. Then in order to show that his concept was not adopted from these philosophers, he adds proofs from the prophets of the Old Testament. Finally, he proves from the Gospel that *vita beata* rests on the knowledge of God, and the pursuit of good works. Thus having drawn the definition of blessedness from

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[63] Cicero, II, i, 1.

[64] St. Ambrose, II, i, 1.

[65] *Ibid.*, II, v, 18.

[66] *Ibid.*, II, i, 1.

[67] *Ibid.*, II, ii, 4—6.

Sacred Scripture, he demonstrates that it cannot be enhanced by external good fortune, nor can it be weakened by misfortune[68]. Those things which are generally considered as *Bona* are generally hindrances to a blessed life, and those which are looked upon as evil, are the materials out of which virtue grows[69].

Ambrose, having spoken in general as to what constitutes a blessed life, proceeds to discuss the *utile*, as arranged by Cicero[70]. The Stoic philosopher also prefaced his second book with a digression concerning his own philosophical opinions, and then approached the topic for this particular book. For St. Ambrose, utility consists in gaining piety and not money. Whatever is useful is also just; for it is just to serve Christ Who redeemed us[71]. This is a Christian turn of the argument, which none the less continues in accord with the Stoical view of finding the *utile* to be the *honestum* and *vice versa*[72].

St. Ambrose now enters upon a practical discussion of the details of conduct according to the desirable virtues of love, charity, justice and prudence[73]. Whatever is useful is at the same time virtuous; and nothing is more useful than love which is gained by gentleness, courtesy, kindness and justice, as we see from the accounts of Moses and David. His principle that there is nothing so useful as to be loved, is a restatement of what Cicero says on the same point. "Of all motives, none is better adapted to secure influence and hold it fast than love[74]."

Ambrose, following Cicero's ideas that justice and prudence are inseparable[75], shows where these two virtues were most conspicuous in Solomon, especially in the incident of the well-known judgment[76]. Agreeing with the Stoics that men entrust their safety to a just man rather than to a prudent one, the bishop declares that everyone is accustomed to seek out the man who is both prudent and just[77], as seen in the cases of Solomon[78], Daniel[79], and Joseph[80]. The third quality, which tends to gain one's confidence, is admiration[81]. This is exactly what Cicero meant when he said: "The third of the three conditions I named as essential to glory is that we be accounted worthy of the esteem and admiration of our fellow-men[82]." Ambrose agrees with this substantially, but states that we must not endanger the law of God in order to gain the favor or admiration of men[83].

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[68] *Ibid.*, II, iii, 8—9.

[69] *Ibid.*, II, v, 16—21.

[70] St. Ambrose, II, vi, 22; Cicero, II, iii, 9.

[71] *Ibid.*, II, vi, 24: "Ergo quia quod utile, id etiam justum: justum est ut serviamus Christo qui nos redemit."

[72] Cicero, II, iii, 10: "Quidquid enim iustum sit, id etiam utile esse censent, itemque quod honestum, idem iustum; ex quo efficitur, ut quicquid honestum sit, idem sit utile."

[73] Ambrose, II, vii, 28—39.

[74] *Ibid*, II, vii, 29: "Ac primum noverimus nihil tam utile, quam diligi; nihil tam inutile, quam non amari." Cicero, II, vii, 23: "Omnium autem rerum nec aptius est quicquam ad opes tuendas ac tenendas quam diligi . . ."

[75] Ambrose, II, ix, 48: cf. Cicero, II, x, 35: "Prudentia sine justitia nihil valet."

[76] III Kings iii: 26 f.

[77] Ambrose, II, x, 50; Cicero, II, ix, 34.

The beauty of wisdom is also clear from Scripture, and it has a common bond with the other virtues[84]. Prudence too is combined with all the virtues, and this is especially seen in contempt of riches[85]. In developing his point on the riches of this world, he treats at great length the subject of liberality. If we first look at what Cicero has to say, we will readily note the similarity. He writes:

> There are in general two classes of people who give abundantly; the one class is the lavish, the other the generous. The lavish are those who squander their money on public banquets, doles of meat among the people, gladiatorial shows, magnificent games, and wild-beast fights . . . The generous on the other hand, are those who employ their own means to ransom captives . . ., who assume their friend's debts, or help in providing dowries for their daughters, or assist them in acquiring property, or increasing what they have[86].

Ambrose follows this very closely:

> There are two kinds of liberality: one arising from generosity, the other from wasteful extravagance. It is a mark of liberality to receive the stranger, to clothe the naked, to redeem the captives, to help the needy. It is wasteful to spend one's own wealth merely for the sake of gaining the favor of the people. This they do who spend their inheritance on the fames of the circus, or on theatrical pieces and gladiatorial shows, or even a combat of wild beasts . . .[87]

In particular, St. Ambrose speaks of the highest form of liberality, which is to redeem captives from the barbarian enemies[88]. Cicero, in his chapter on liberality, praises very highly those who employ their own means to ransom captives from brigands[89]. He further mentions two types of liberality to the needy: personal service and gifts of money. The latter way is the easier, especially for the rich man; but the former is nobler, more dignified, and more becoming to a strong and eminent man[90]. St. Ambrose puts this more succinctly — this form of liberality is twofold: the one that gives actual assistance, that is, in money; the other, which is busy in offering help, is nobler and far more outstanding[91].

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[78] III Kings x, 2—5.
[79] Daniel ii, 10 f.
[80] Genesis xli: 10 f.
[81] Ambrose, II, xi, 56.
[82] Cicero, II, x, 36.
[83] Ambrose, II, xi, 58: "Quin etiam periclitari malebat pro lege Domini, quam pro gratia hominis inflecti."
[84] *Ibid.*, II, xiii, 64—65.
[85] *Ibid.*, II, xiv, 66—67.
[86] Cicero, II, xvi, 55—56.
[87] Ambrose, II, xxi, 109.
[88] *Ibid.*, II, xv, 70—71.
[89] Cicero, II, ii, 16.

Due measure must be observed in liberality, so that it may not be expended on worthless persons, when it is needed by worthier ones. However, alms are not to be given in too sparing and hesitating a way[92]. Cicero also establishes the same precaution, and speaks of a definite method to be followed in distributing one's goods[93]. And as Cicero in the words *"O virum magnum"*, praised the great statesman, Aratus of Sicyon, who preserved harmony when the commonwealth was distressed with financial difficulties[94], Ambrose uses the same expression, *"O virum magnum"*, in commending Joseph as the model of prudence in regard to liberality[95].

Ambrose declares many are drawn by justice, benevolence, and courtesy, but all this must be sincere. We must be a pattern to others, not only in act but also in word, in purity, and in faith. "What we wish to be thought, such let us be[96]." This is the sentiment of Socrates which is quoted by Cicero, while expounding on the manner of gaining glory[97]. The philosopher also tells his son that a young man wins recognition most easily and most favorably, if he associates with men who are wise and renown[98]. The bishop tells his clergy that familarity with good men is very advantageous to all, especially to the young, as is shown by the example of Josue and Moses. Further those who are unlike in age are often alike in virtues, as Peter and John[99].

To defend the weak or to help strangers, or to perform similar duties, brings great popularity and glory to the pleader. This is especially true in the case of a condemned criminal[100]. Cicero offers the same thought and example to his son as a rule of duty[101]. Another recommendation is hospitality, for it is a display of one's feelings. Thus the stranger will not want hospitality, but will be courteously received, as Abraham watched at the door of his tent, so that no stranger might pass by[102]. As a reward for his hospitality, he received the gift of posterity[103]. For Cicero, hospitality is most proper, and the homes of distinguished men should be opened to distinguished guests[104]. However, in rendering hospitality, we should not look to one's outward circumstances, but to their character[105]. St. Ambrose observes this when he says that in all our duties of hospitality, kindly feeling must be shown to all, but greater respect must be given to the upright[106]. For "he who receives a just man because he is a just man, shall receive a just man's reward"[107].

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[90] *Ibid.*, II, xv, 52.
[91] Ambrose, II, xv, 73.
[92] *Ibid.*, II, xvi, 76—78.
[93] Cicero, II, xv, 54—55.
[94] Cicero, II, xxiii, 83: "O virum magnum dignumque, qui in re publica nostra natus esset!"
[95] Ambrose, II, xvi, 81: "O virum magnum, qui non largitatis superfluae temporalem captavit gloriam, sed perpetuam commoditatem constituit providentiae!"
[96] *Ibid.*, II, xix, 96.
[97] Cicero, II, xii, 43: "Quamquam praeclare Socrates hanc viam ad gloriam proximam . . . si quis id ageret, ut, qualis haberi vellet, talis esset."
[98] *Ibid.*, II, xiii, 46.
[99] Ambrose, II, xx, 97—101.

We must observe a middle course between too great mildness and excessive harshness. Those who endeavor to creep into the hearts of others by a false display of mildness, gain nothing substantial or lasting. The good faith of those who are easily bought over with money or flattery is a frail thing to trust[108]. Cicero also relates with sarcasm, that things are in a bad way, when that which should be obtained by merit is attempted by money[109].

Benefits should be conferred on the poor, rather than on the rich. What advantage is it to show favor to a rich man? For the rich either think something in return is expected from them, or else they are angry at being indebted for such an action. The poor man makes God his debtor, and freely owns the benefits he has received. We generally show favor to those from whom we expect to receive a return favor[110]. Cicero has the same insight when he professes that in performing a service, we must not set the favor of a rich and influential man above the cause of the poor. For as a rule, our will is more inclined to the one from whom we expect a speedier return. The poor man cannot return a favor in kind, but if he is a good man, he can do it at least in thankfulness of heart[111].

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[100] *Ibid.*, II, xxi, 102.

[101] Cicero, II, xiv, 51: "Maxime autem et gloria paritur et gratia defensionibus eoque major, si quando accidit, ut ei subveniatur, qui potentis alicuius opibus circumveniri urguerique videatur."

[102] Ambrose, II, xxi, 103.

[103] *Ibid.*, II, xxi, 104; Genesis xviii: 1 f.

[104] Cicero, II, xviii, 64.

[105] *Ibid.*, II, xx, 69.

[106] Ambrose, II, xxi, 107.

[107] Matthew x: 41.

[108] Ambrose, II, xxii, 111.

[109] Cicero, II, vi, 22: "Male enim se res habet, cum, quod virtute effici debet, id temptatur pecunia."

[110] Ambrose, II, xxv, 126—27.

Cicero proposes that if there is a conflict of duty concerning a matter of riches, we must follow the advice of Themistocles. When someone asked his advice whether he should give his daughter in marriage to a man who was poor, but honest, or to one who was rich but less esteemed, he said: "For my part, I prefer a man without money, to money without a man." Then the Stoic added without reservation that the moral sense of today is demoralized and depraved by our worship of wealth[112]. Ambrose had this in mind as he forcefully reminds his audience that man's habits have so long applied themselves to this admiration of money, that no one is thought worthy of honor, unless he is rich[113]. Then citing many examples in the Old Testament where the love of money weakened the valor of the people and the love of God, he admonishes his clergy to despise riches[114].

In closing this book, St. Ambrose departs from the work of his Model, and gives an exhortation to avoid ill-will, and to seek prudence, faith, and other virtues. On the other hand, Cicero concludes with some practical advice concerning public offices, and the political and administrative problems of the commonwealth.

LIBER TERTIUS DE CONTENTIONE HONESTI ET UTILIS

Both authors introduce the third book with the significant idea of taking counsel with one's own heart. Cicero relates on Cato's authority that Scipio[115] used to say: "he was never less idle than when he had nothing to do, and never less lonely than when he was alone[116]." St. Ambrose mentions that Scipio was not the first to realize this, or to express this sentiment. For the holy prophets accomplished glorious things in their time of solitude, and David and Solomon especially teach us how to take counsel with our own heart[117].

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[111] Cicero, II, xx, 69.

[112] *Ibid.*, II, xx, 71.

[113] Ambrose, II, xxvi, 129: "Caeterum ita incubuerunt mores hominum admiratione divitiarum, ut nemo nisi dives honore dignus putetur." Cicero, II, xv, 71: "Sed corrupti mores depravatique sunt admiratione divitiarum."

[114] Ambrose, II, xxvi, 129—32.

[115] Scipio was born 234 B. C., and was the greatest Roman of his time — a famous general, and the conqueror of Hannibal. His exploits in Africa won him the surname, Africanus. Owing to jealous intrigues, he left Rome 185 B. C., and retired to his estate, where he passed the rest of his days in peaceful employments.

[116] Cicero, III, i, 1.

[117] Ambrose, III, i, 1.

With this brief preliminary remark, the topic of the third book, namely the relationship or the "conflict" between the *honestum* and the *utile* is opened to consideration. But before going into the problem, it will be appropriate to summarize what St. Ambrose has to say in his last two books regarding these two basic notions. He points out that the term *utile* may be interpreted in two ways: it may mean profitable with reference to man's temporal interests; or it may mean profitable in a spiritual sense[118]. Ambrose prefers the latter: "we measure everything by the standard of the future rather than of the present, and define nothing as useful except that which will be of advantage to us in reference to eternal life[119]." If the useful is interpreted in this manner, it becomes identical with the virtuous. "It is plain that whatever is virtuous is useful, and whatever is useful is virtuous[120]." "Not only is there a close connection between virtue and utility, but virtue and utility are the same thing[121]." "We observe that whatever is shameful is always involved in virtue, and virtue in utility[122]." Hence, there is no conflict between virtue and expediency[123].

While Cicero gives the opinions of the Stoics and the Peripatetics concerning the conflict between the *honestum* and the *utile*[124], Ambrose declares that these discussions among the philosophers do not pertain to the Christians[125]. In the two preceding books he has built up his case, so that he can state in contrast to the pagans, that no thing can be virtuous but what is useful, and nothing can be useful but what is virtuous[126].

Cicero advises that some general rule should be laid down to enable us to decide without error, when something which we call expedient seems to clash with something which we feel is morally right. If we follow this rule of comparing courses of conduct, we shall never swerve from the path of duty. This rule is in perfect harmony with the Stoics. The older Academicians and the Peripatetics gave what was morally right — the preference over what seemed to be expedient . . . But our

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[118] Ambrose, I, ix, 27; II, vi, 23, 26, 27; III, ix, 63.
[119] *Ibid.*, I, ix, 28.
[120] *Ibid.*, II, vi, 25; III, vii, 52.
[121] *Ibid.*, II, vii, 28.
[122] *Ibid.*, III, xiv, 90.
[123] *Ibid.*, III, ii, 9: "Nos autem movemur, ne haec inter se velut compugnantia inducere videamur, quae iam supra unum esse ostendimus: nec honestum esse posse, nisi quod utile: nec utile, nisi quod honestum."
[124] Cicero, III, iii, 11.
[125] Ambrose, III, ii, 8.
[126] *Ibid.*, III, ii, 9.

New Academy allows us wide liberty, so that it is within my right to defend any theory that presents itself to me as most probable[127].

St. Ambrose is much more explicit. He not only claims that some general rule should be followed, but establishes one. "Let this be our rule, that we may never go wrong between two things: one virtuous, the other useful. The upright man must never think of depriving another of anything, nor must he ever wish to increase his own advantage to the disadvantage of another[128]." This rule the Apostle gives by saying: "All things are lawful, but not all things edify. Let no one seek his own interests, but those of his neighbor[129]." St. Ambrose adds a further spiritual consideration by saying that a truly wise person does not know how to regard his own advantage, but looks with all his desire to that which is eternal, and to whatever is seemly and virtuous, seeking not what is useful for himself, but for all[130].

Cicero infers that if a man is obedient to nature, he cannot do harm to his fellow man. He also recognizes that if a man wrongs his neighbor to gain some advantage for himself, this is a defiance of nature[131]. Ambrose repeats this principle verbatim, that a man who guides himself according to the rules of nature, so as to be obedient to her, can never injure another. If he injures another, he violates nature. Then again, if he injures another for his own advantage, he will undergo terrible punishment at the expense of his own conscience[132].

Ambrose continues that everyone must consider and believe that the advantage of the individual is the same as that of all, and that nothing must be considered advantageous unless it is for the common good. We are bound by the law of nature to act for the good of all[133]. The Stoic likewise asserts that the chief end of all men should be to make the interests identical of each individual, and of the whole body politic. For if the individual appropriates for selfish ends what should be devoted to the common good, all human fellowship will be destroyed[134]. He uses the example of the man entering a foot-race. It is his duty to put forth all his strength, and strive with all his might to win; but he should never trip his competitor, or use foul play. Thus in the stadium of life, it is fair to seek and to obtain what is necessary for one's own advantage, but one has no right to wrest it from his neighbor[135].

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[127] Cicero, III, iv, 20.
[128] Ambrose, III, ii, 13.
[129] I Cor. X: 23—24.
[130] Ambrose, III, ii, 12.
[131] Cicero, III, v, 25.
[132] Ambrose, III, iv, 24.
[133] *Ibid.*, III, iv, 25.
[134] Cicero, III, vi, 26.

Let us observe how Ambrose uses the same simile:

> For if those who run in a race are instructed and warned each one to win the race by swiftness of foot, and not by any foul play, and to hasten on to victory by running as hard as they can, but not to dare trip up another, or push him aside with their hand, — how much more in the course of this life should the victory be won by us, without falseness to another and cheating[136] ?

St. Ambrose points out that an upright person does nothing that is contrary to duty, even though there is hope of keeping it secret[137]. He further declares that the tale of Gyges and the ring, as first related by Plato, and later recorded by Cicero, was invented by the philosophers[138]. Exposing this, he brings forward the wellknown examples from the life of David[139] and John the Baptist[140].

Strangers must never be expelled from the city in a time of famine. In this matter the noble advice of St. Ambrose is adduced in contrast to the shameful deeds committed at Rome. By comparing the two, it is shown that the former is combined with what is virtuous and useful, but the latter with neither[141]. Cicero says that to debar strangers from enjoying the advantages of the city is altogether contrary to the laws of humanity. "This was done by Pennus in the time of our fathers, and in recent times by Papius[142]."

Cicero believes that a good man would never rob anything to enrich himself. He would help whomever he could, and harm no one unless provoked by wrong[143]. St. Ambrose christianizes this when he speaks of cheating, and the dishonest ways of making money. Addressing the clergy, he warns them against being involved in financial affairs, unless they are affecting a man's life. However, they should be of assistance to all, and harmful to none. The priest should injure no one, not even when provoked and embittered by some injury. For what glory is it if we do not injure him who has not injured us? But it is true virtue to forgive when injured[144].

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[135] *Ibid.*, III, x, 42.
[136] Ambrose, III, iv, 26.
[137] *Ibid.*, III, v, 29.
[138] *Ibid.*, III, v, 30—36; Cicero, III, ix, 38.
[139] I Kings, XXVI: 1 f.
[140] Matthew XIV: 3.
[141] Ambrose, III, vii, 45—52.
[142] Cicero, III, xi, 47.
[143] *Ibid.*, III, xix, 76.
[144] Ambrose, III, ix, 59.

Fraud was another point discussed by both authors. For Cicero, an honorable man would never be guilty of fraud, pretence or concealment in buying or selling[145], and he testifies these crimes were prohibited not only by the Twelve Tables, but also by the Plaetorian Law[146]. St. Ambrose remarks that we are warned not only in civil law, but also in Scripture to avoid fraud in every contract[147]. This is especially clear from the example of Josue and the Gibeonites[148].

Continuing this discussion of fraud, Cicero speculates that if an honorable man had such power that at the snap of his fingers, his name could steal into rich men's wills, he would not avail himself of that power[149]. However, Ambrose mentions that this type of fraud is common, and uses the very expression of the 'snapping of the fingers'[150]. He then recalls the story of Canius, the Roman knight, who spent a quiet vacation at Syracuse, and the cunning of the Sicilian banker[151]. This event was first related by Cicero as a clear example of fraud, of which there was no remedy in the law during his time[152]. Finally, St. Ambrose reproves those who through deceit, claim to be the heirs of a will[153]. He had in mind the case also recorded by Cicero of the will forged in the name of the wealthy Lucius Munucius Basilius[154]. After adducing these examples, he shows that the various forms of fraud are more forcefully condemned in Scripture, and climaxes his argument with the unforgettable incident of Ananias and Sapphira[155].

Cicero holds that the binding force and morality of promises depend on circumstances, and the laws of expediency[156]. He offers several examples from history to prove his point, and in particular the occasion when Agamemnon vowed to Diana the sacrifice of the most beautiful creature born that year. Cicero says this should have been broken rather than commit so horrible a crime[157]. Ambrose more positively writes that we can never make a promise that is wrong, and if we have made an unjust oath, we may not keep it[158]. For example, it is evident that Herod sinned by promising the reward of the head of John the Baptist to Salome, the dancer[159]. Ambrose also compares the daughter of Jephtha with the two Pythagoreans mentioned in Cicero's treatise[160]. The vow taken by Jephtha is condemned, for such promises God does not desire to be paid to Him[161].

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[145] Cicero, III, xv, 61: "Ita, nec ut emat milius nec ut vendat, quicquam simulabit aut dissimulabit vir bonus."

[146] *Ibid.*

[147] Ambrose, III, x, 66—67.

[148] Josue, IX: 3 f.

[149] Cicero, III, xix, 75.

[150] Ambrose, III, xi, 70.

[151] *Ibid.*, III, xi, 71.

[152] Cicero, III, xiv, 58.

[153] Ambrose, III, xi, 73.

[154] Cicero, III, xviii, 73—74.

[155] Acts V: 1—11.

[156] Cicero, III, xxv, 94: "Ac ne illa quidem promissa servanda sunt, quae non sunt iis ipsis utilia, quibus illa promiseris." *Ibid.*, III, xxv, 95: "Sic multa, quae honesta natura videntur esse, temporibus fiunt non honesta; facere promissa, stare conventis, reddere deposita commutata utilitate fiunt non honesta."

Ambrose recalls the memorable deed of the Roman general, Gaius Fabricius. When the physician of a hostile king came to him and promised to give him poison, he sent him back bound to the enemy. The bishop declares that it is a noble thing for a man to refuse to gain the victory by foul deeds, after he has struggled for power. Gaius did not consider it virtuous to lie in victory, but expressed that it was a shameful victory unless it was gained with honor[162]. However, if we consider the loftier deeds of Moses, we can see that they were both superior to, and earlier than those of Gaius Fabricius. For while in captivity in the land of Egypt, Moses offered himself on behalf of his people, praying that God would either forgive the Israelites, or blot him out of the book of the living[163].

Ambrose, with a note of sarcasm, brings to light that the philosophers talked about the defects of a house, whether they should be concealed or made known by the one selling[164]. Cicero devotes a whole chapter to this discussion[165]. The bishop of Milan uses their mode of argumentation on a higher plane, by taking the example of Raguel, who was quite certain that his daughter's faults should not be kept secret. This no doubt was much more nobly enacted than the philosophers, for a daughter's future is far more important than some financial affair[166].

All this leads to the conclusion that we must never aim at anything unless it is virtuous[167]. Expediency must never be preferred to virtue under any circumstances, but always virtue to expediency[168]. When this method is adopted, it will be found that virtuous conduct turns out in the end to be not merely virtuous, but expedient as well.

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[157] *Ibid.*, III, xxv, 95: "Promissum potius non faciendum quam tam taetrum facinus admittendum fuit."

[158] Ambrose, III, xii, 76: "Nihil promittat inhonestum ac si promiserit, tolerabilius est promissum non facere, quam facere quod turpe sit."

[159] *Ibid.*, III, xii, 77.

[160] *Ibid.*, III, xii, 80; Cicero, III, x, 45.

[161] Ambrose, III, xii, 78.

[162] Cicero, III, xxii, 86—87; Ambrose, III, xv, 91.

[163] Ambrose, III, xv, 95.

[164] *Ibid.*, III, xvi, 97.

[165] Cicero, III, xiii.

[166] Ambrose, III, xvi, 97.

[167] *Ibid.*, III, v, 29: "Sed jam ut etiam in hoc libro ponamus fastigium, in quo velut in fine disputationis nostrae dirigamus sententiam: ut nihil expetendum sit, nisi quod honestum."

St. Ambrose concludes this work with a discussion on friendship, based primarily on the *De Officiis* of Cicero, and the classical essay, *De Amicitia*, by the same author. In asserting the necessity of a virtuous friendship[169], Ambrose urges that a commendable friendship which maintains virtue is to be preferred most certainly to wealth, honor or power. Nothing must be preferred to virtue. He says there are various questions raised by the philosophers, as to whether a man should plot against his country so as to serve a friend, or whether one should break one's faith, and thus aid and maintain a friends advantage. Should friendship take a higher place than our religion, or our love for our countrymen? In these matters, he says, a man may not refuse to give testimony against his friend, if his duty to God or to his country demand it. A man should never please a friend who desires evil, or plots against one who is innocent[170].

Other qualifications of friendship according to Cicero, are sincerity and readiness to give and to take rebukes, for sometimes even reproofs flourish in friendship[171]. St. Ambrose parallels these passages in the following paragraph:

> Certainly if it is necessary to give witness, then upon the recognition of any fault in a friend, one should rebuke him in secret; if he does not listen, one must do it openly. For rebukes are good and are often better than a silent friendship. Even if a friend thinks himself hurt, still rebuke him; or if the bitterness of the correction wounds his mind, still rebuke him, and do not fear him[172].

Certain spiritual laws govern friendship, and the fact that these laws are most completely observed by noble characters, is the reason why enduring friendships are more frequently found between those who love virtue than between those who despise it[173]. God Himself, in the words of Cicero, has bestowed upon man nothing more divine than his conscience. In the mind of St. Ambrose, faith may not be put aside for the sake of friendship, and no one can be a friend to man who has been unfaithful to God[174].

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[168] *Ibid.*, III, vi, 37: "Non vincat igitur honestatem utilitas, sed honestas utilitatem."
[169] *Ibid.*, III, xxii, 124—27.
[170] Cf. Cicero, III, x, 43.
[171] *Ibid.*, I, v, 17; xvii, 58.
[172] Ambrose, III, xxii, 127.
[173] Cicero, III, x, 44.

In his excellent chapter on propriety of speech, Cicero takes occasion to present rules concerning the courtesy and consideration one must manifest toward those with whom we converse. He speaks again of the need of administering reproof on certain points. He suggests the application of a mild reproof so combined with earnestness, however, while severity is shown, offensive language is avoided. "We must show clearly that even the very harshness that accompanies our reproof, is designed for the good of the person reproved[175]." Ambrose counsels in the same manner: "Let not your warning be harsh, nor your rebuke bitter, for as friendship should avoid flattery, so too, should it be free from arrogance[176]."

In the closing lines, he speaks of the friendship of Christ:

> So he who does the will of God is His friend, and is honored with this name. He who is of one mind with Him, he too is His friend. For there is unity of mind in friends, and no one is more hateful than the man that injures friendship[177].

The title *De Officiis*, which identifies Ambrose's and Cicero's work, invites comparison. Although differing so widely in character and morals, yet in some respects, the individualities of the two men coincide. Both directed their efforts to the practical life, and both had in common a Roman rhetorical training. They served a similar accomplishment of interpretation in their philosophical works, for as Cicero translated Greek thought into Roman, Ambrose tranlated it into Christian. Ambrose occupied himself with jurisprudence and with a public, political activity. There is no doubt that he was familiar with pagan philosophy, especially with that of the Stoics, which in the fourth century was most influential in the circle of Roman jurists.

Both in the general scheme and in the presentation of ideas, Ambrose followed Cicero's *De Officiis* very closely. This dependence is evident not only in the general aspects of the work, but even in literal translations of Ciceronian passages, the most striking of which are cited here:

Cicero, I, iii, 8: Et medium quoddam officium dicitur et perfectum.
Ambrose, I, xi, 36: Officium autem omne aut medium aut perfectum est.

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[174] Ambrose, III, xxii, 132: "Non potest enim homini amicus esse, qui Deo fuerit infidus."
[175] Cicero, I, xxxviii, 136—37.
[176] Ambrose, III, xxii, 133.
[177] *Ibid.*, III, xxii, 136.

Cicero, I, iii, 8: Perfectum officium rectum opinor vocemus, quoniam Graeci κατόρθωμα vocant.

Ambrose, I, xi, 37: Hoc est perfectum officium, quod κατόρθωμα dixerunt Graeci.

Cicero, I, xxxv, 129: Nostro quidem more cum parentibus puberes filii, cum soceris generi non lavantur.

Ambrose, I, xviii, 79: Mos vetus fuit, ut filii puberes cum parentibus vel generi cum soceris non lavarent.

Cicero, I, xii, 37: Equidem etiam illud animadverto, quod, qui proprio nomine perduellis esset, is hostis vocaretur, lenitate verbi rei tristitiam mitigatam; hostis enim apud maiores nostros is dicebatur, quem nunc peregrinum dicimus.

Ambrose, I, xxix, 141: Denique etiam adversarios molli veteres appellatione nominabant, ut peregrinos vocarent; hostes enim antiquo ritu peregrini dicebantur.

Cicero, I, vii, 23: Fundamentum autem est iustitiae fides.

Ambrose, I, xxix, 142: Fundamentum ergo est iustitiae fides.

Cicero, III, ix, 38: Quum eius annuli ad palam converterat.

Ambrose, III, v, 30: Quod palam eius annuli ad palmam converterat.

The differences between the ethical conceptions of the two writers, are of a fundamental character. The basis of measurement used by Cicero and the philosophers differs utterly from the Christian standard. Cicero's ethical system is founded entirely on human nature, and his rule or norm of morality is the present life. His precepts are drawn from the philosophers, and are based on nothing deeper than human experience. And although Cicero mentions the concept of religion in his philosophical works, his purpose is not to introduce it as a motivating factor for moral action. His real views on the nature of the soul, its relation to its Creator, and of religion in the strict sense of the word, were so vague that he felt himself forced to fall back on the teachings of philosophy alone for his strongest support. His highest ideal, the one common to the ancients in general, was the perfect service to the state. Therefore, the state was the norm by which all actions were to be judged as good or evil for the individual.

The ethical system of Ambrose is based on the Christian religion. He is much more aware of the differences separating him from Cicero than of the similarities which are evident in their writings. On every occasion, he accentuates the differences between the principles underlying the two systems of morality. The outlook of the Christian is not only temporal but eternal, and his conduct is motivated and guided by faith[178]. Ambrose states that one of the reasons for his writing the treatise, was to lift the whole ethical system of the pagan from the natural and temporal level to the supernatural plane of the Christian[179]. Thus, his precepts take on a divine sanction, and become infinitely more efficacious motives for conduct than the mere practical lessons of human experience.

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[178] Ambrose, I, xxix, 142.

In order to understand St. Ambrose's reason for using the work of Cicero as a basis for his treatise, it is necessary to consider his attitude toward philosophy in general. He tells us that in all men there lies a desire to search out the truth. And this desire for truth, which is only in accordance with human nature, leads us to long for and seek after knowledge and learning. Mankind considers it a noble thing to excel in knowledge, although only a few attain it[180]. But for St. Ambrose the Bible was the source of all truth. Whatever is excellent in pagan literature was due to Sacred Scripture. Biblical writers preceded in time the famous pagan writers, and gave expression to ideas found only later among the best pagan thinkers. Hence, Plato, Pythagoras, Socrates, Aristotle, Zeno, Panaetius and Cicero — all drew from the Scriptures. For example, he maintains that the Scriptures were the first to teach us what is meant by *decorum*,[181] as particularly seen in the Psalms[182] and St. Paul[183].

In connection with this point, St. Ambrose relates in the *De Officiis Ministrorum:*

> Was Panaetius, or Aristotle, who also wrote on duty, earlier than David? Why, Pythagoras himself, who lived before the time of Socrates, followed the prophet David's step and gave his disciples a law of silence[184].

Plato had been greatly praised for making an objector against justice beg pardon for words spoken by him, of which he himself did not approve. He also made this same objector confess that he had accused that character for the sake of finding out the truth of investigating the question at issue[185].

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[179] *Ibid.*, I, ix, 29: "Non superfluum igitur scriptionis nostrae est opus quia officium diversa aestimamus regula atque illi aestimaverunt."

[180] *Ibid.*, I, xxvi, 125.

[181] *Ibid.*, I, x, 30: "Decorum autem in nostris Scripturis primo constitui loco (quod Graece πρέπον dicitur) instruimur et docemur."

[182] Ps. lxiv: 2: "Te *decet* hymnus, Deus in Sion."

[183] Hebrews ii: 10: "*Decebat* enim eum, propter quem omnia, et per quem omnia, qui multos filios in gloriam adduxerat, auctorem salutis eorum per passionem consummare." Titus ii: 1: "Tu autem loquere quae *decent* sanam doctrinam."

[184] Ambrose, I, x, 31.

[185] *Ibid.*, I, xii, 43.

> How many years before these did Job live! He was the first to discover this, and to consider what excuse had to be made for this, not for the sake of embellishing his eloquence, but for the sake of finding out the truth[186].

The Stoics had some good ideas, —

> But whence have they got such ideas but out of the holy Scriptures. For Moses wrote . . . So these philosophers have learnt from our writings[187].

Elsewhere he says that the doctrines of the Stoics came from Genesis. After quoting Proverbs 22 : 16, he remarks that Solomon lived long before Zeno, long even before Plato or Pythagoras. And so Ambrose asserts without hesitation that Cicero, Panaetius, and even Aristotle derived their ideas from the Scriptures[188].

Another reason St. Ambrose used the treatise of Cicero was that it provided a general plan and vocabulary of ethics that could be interpreted in the light of faith. The notion of virtue in general, and the cardinal virtues, had been popularized by the Stoics and the Greek philosophers. The early Fathers were well aware of these various pagan theories, but refused to accept them on the grounds that they would endanger a truly Christian theory. However, St. Ambrose saw in the work of Cicero, an outline and phraseology, that could be adapted to express the cardinal virtues on a supernatural plane. Thus, when he employs the terminology and principles of the Stoics, he does so only in so far as they are identical with Christian ideas, and have their ultimate source in Scripture.

Virtus

The Stoics taught that virtue consisted in man's living in accordance with the dictates of his rational nature. Man's individual nature is but a part of the entire natural order or universal nature. Virtue is the harmonious agreement with the Divine Reason which shapes the whole course of nature. St. Ambrose considers virtue subjectively as a human act, and objectively in its relation to God. However, in treating virtue as a human act, he takes over the language of the Stoics, but for his interpretation, he finds the solution in Sacred Scripture. According to the Stoics, the highest life is a virtuous life, which is one in conformity with nature. To live in accordance with reason is to live virtuously, and to attain the highest good[189].

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[186] *Ibid.*, I, xii, 44.
[187] *Ibid.*, I, xxviii, 33.
[188] *Ibid.*, I, xxxvi, 179: "Unde igitur hoc vel Tullius, vel etiam Panaetius, aut ipse Aristoteles transtulerint, apertum est satis."

St. Ambrose adheres to the religious character of virtue. God is the Author of Nature, and He made all things good. Whatever is opposed to it, is shameful[190]. The examples of Virtue, though they are shown to be in harmony with nature, are drawn from Scripture, and Jesus Christ is made the supreme example and authority for the Christian. For the Scriptures state that nothing is good but what is virtuous, and virtue is blessed in every circumstance. It is never enhanced by either corporal or external good fortune, nor is it weakened by adversity[191].

When St. Ambrose treats virtue objectively, in its relation to God, his language as well as his thought is thoroughly Christian. It is the interior life with God which counts[192]. Works without faith is compared to a building raised on sand[193]. Or, as he put it in another way, the philosophers based virtue on the bond of society, but there is a higher order, which rests on the foundation of wisdom, which is Christ[194].

It can be seen that Ambrose had firmly grasped the spiritual idea of virtue. He tells us that it is not so much a human attainment as a divine endowment or gift. And although he frequently speaks of it in connection with Nature and Reason, it is not the result of Nature, though it is in harmony with it. Ambrose can in deference to Stoic ideas freely speak of a life according to Nature, because he knew it was recognized in the Old and New Testament.

Virtutes Cardinales

The Stoics adopted the Socratic doctrine of the unity of all virtue. Prudence, fortitude, justice and temperance were merely different manifestations of the one virtue. St. Ambrose takes the traditional classification, yet these four virtues, as explained by him, can hardly be considered as the same four familiar to the pagan moralists. However, following the Stoics, Ambrose teaches that Virtue is one and indivisible, so that the real possession of one virtue, involves the possession of the rest[195]. In other words, a man cannot possess one of them perfectly, unless he possesses them all. He quotes examples from the Old Testament to show that in the actions of every great man, all four were found. He further connects the four cardinal virtues with the four ages of the world: the period before the Deluge, being the age of prudence; that from the Patriarchs to Moses, the age of temperance; that from Moses to Christ, the age of courage; and the Christian era, the age of justice.

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[189] Cicero, *De Natura Deorum*, Book II.

[190] Ambrose, III, iv, 28: "Nam si honestas secundum naturam, omnia enim fecit Deus bona valde, turpitudo utique contraria est. Non potest ergo honestati convenire et turpitudini, cum haec inter se discreta naturae lege sint."

[191] *Ibid.*, II, iii, 8.

[192] *Ibid.*, II, iii, 8; I, xvii, 126.

[193] *Ibid.*, II, ii, 7: "Contra quoque strenuum esse in operibus, affectu infidum, ita est ac vi vitioso fundamento pulchra culminum velis elevare fastigia: quo plus exstruxeris, plus corruit; quia sine munimento fidei bona opera non possunt manere."

[194] *Ibid.*, I, xlix, 251: "Cum sapientia fundamentum sit, justitia opus sit, quod manere non potest, nisi fundamentum habeat. Fundamentum autem Christus est."

Prudentia

The virtue of Prudence is exercised in the investigation of truth[196]. But this idea of investigation and knowledge of truth, according to Ambrose, is totally different from that of the philosophers. They were merely interested in philosophical research. But for us, the only knowledge worth having is knowledge of God, God's laws, and God's mysteries; and the only investigation worth undertaking is that which directly leads to such knowledge[197].

St. Ambrose separates himself from the philosophers in identifying wisdom and prudence, by saying that no man is prudent who is ignorant of God[198]. Even heretics, like Arius, Marcion and Eunomius, as they erred in their knowledge of God, they did not have this first virtue[199]. Our leading men have said that prudence consists in the knowledge of the truth[200]. In this investigation, it is unseemly to pursue secular knowledge and leave aside the grounds of salvation. He repeats the statement of Cicero that man excels the brutes especially by reason, whereby he seeks out the cause of things[201]. But for St. Ambrose, this means to search out the Author of life, Who rules the world, and to Whom we must give an account of our actions. Such knowledge of God must be outwardly expressed in appropriate conduct. "For if a man is slothful in working, he shows by his actions that his Prudence is illusory; and it is a serious thing to know what one should do, and should not do[202]." Prudence then may be well defined as knowledge of God, expressing itself in practical piety.

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[195] *Ibid.*, II, viii, 43; I, xxvii, 129.

[196] *Ibid.*, I, xxiv, 115: "Quarum primo loco constituerunt prudentiam, quae in veri investigatione versatur, et scientiae plenioris infundit cupiditatem."

[197] *Ibid.*, I, xxvi.

[198] *Ibid.*, I, xxv, 117: "Nemo enim prudens, qui Deum nescit."

[199] *Ibid.*

[200] *Ibid.*, I, xxv, 118.

[201] Ambrose, I, xxvi, 124: "Nihil est enim quo magis homo caeteris animantibus praestet, quam quod rationis est particeps, causas rerum requirit generis sui auctorem investigandum putat . . . Nihil est enim quod magis proficiat ad vitam honestam, quam ut credamus eum iudicem futurum, quem et occulta non follant et indecora offendant, et honesta delectent." Cicero, I, iv, 11: "Homo autem quod rationis est particeps, per quam consequentia cernit, causas rerum videt earumque progressus et quasi antecessiones non ignorat . . . facile totius vitae cursum videt ad eamque degendam praeparat res necessarias."

In a later portion of the *De Officiis Ministrorum*, where Ambrose is referring more particularly to the duties of the clergy, we find the four cardinal virtues mentioned again. There it is said of wisdom, that it is required to see the deep things of God[203]. He continues that "the order resting on society was higher than that resting on wisdom; though wisdom is the foundation, and justice the building which cannot stand unless it has a foundation[204]". In this way Ambrose connects the first virtue, Prudence or Wisdom, and with it the whole group, with Christ as the Foundation.

Temperantia

Perhaps of the four cardinal virtues, St. Ambrose adopts the language and thought of the Stoics most eminently in treating of temperance. He devotes little space to it, except in the case of anger. He does not emphasize temperance as the virtue which curbs the passions, but stresses the fact that it is the factor which regulates conduct in accordance with what is suitable to one's age, ability and circumstances[205]. In temperance or moderation, we look especially for "tranquillitas animi, studium mansuetudinis, moderationis gratia, honesti cura, decoris consideratio[206]." It involves two duties: that of studying ourselves so that we may know our strong and weak points, and of taking counsel with persons who are qualified to give us direction and guidance[207].

"We must maintain a certain order in life, making modesty the foundation, for it is the ally and friend of peace of mind[208]." This virtue of modesty is practically identical with temperance, and produces the same results. The main distinction seems to be that the chief concern of modesty is to avoid giving offense to others, whereas temperance is rather a matter of self-respect. The modest man's life exhibits a harmonious order, and all his actions are becoming[209]. This quality is apparent in the very tone of voice[210], in the measure of his speech[211], of his silence[212], and in his gestures and gait[213]. It is also shown in his relations with the opposite sex[214], and finally in his prayers to God[215]. Such a man is "humble, gentle, mild, serious, and patient, and preserves measure in all things[216]." Thus the effect of temperance is 'order in life' of which the distinguishing mark is decorum.

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[202] St. Ambrose, II, iii, 9.
[203] *Ibid.*, I, l, 260.
[204] *Ibid.*, I, xvi, 50—51.
[205] *Ibid.*, I, xliii, 212.
[206] *Ibid.*, I, xliii, 209.
[207] *Ibid.*, I, xliii, 211; II, xx, 97.
[208] *Ibid.*, I, xliii, 220.

Fortitudo

Ambrose declares that courage is loftier than the rest of the cardinal virtues, and following Cicero, distinguishes two types: military, and civil courage. He passes over military courage, since the *De Officiis Ministrorum* is intended primarily for clerics, who were not permitted to bear arms[217]. Civil courage consisted in that strength of mind which is shown particularly in forcing the flesh to obey reason[218]. But for Cicero's phrase 'freedom from passion', Ambrose uses the positive terms to discipline the mind, to control the flesh, and reduce it to servitude.

He tells us that "it is rightly called courage, when a man conquers himself, restraining his anger, is not softened and turned aside by any allurements, is neither depressed by adversity, nor elated by prosperity, and is not carried hither and thither by every gust of change in affairs. And what is more lofty and splendid to exercise the mind, to govern the flesh and reduce it to subjection, so that it may obey commands and give heed to counsels, and in the prosecution of labors, may diligently carry out the intention and will of the mind[219]." The two characteristic notes of this courage of mind are contempt of all external goods, and concentration of interest and effort on the attainment of the moral ideal[220].

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[209] *Ibid.*, I, xix, 82.
[210] *Ibid.*, I, xviii, 67; xxiii, 104.
[211] *Ibid.*, I, cviii, 67; iii, 12.
[212] *Ibid.*, I, xviii, 68.
[213] *Ibid.*, I, xviii, 71.
[214] *Ibid.*, I, xviii, 69.
[215] *Ibid.*, I, xviii, 70.
[216] *Ibid.*, I, xx, 89.
[217] *Ibid.*, I, xxxv, 175: "Nec ad arma iam spectat usus noster, sed ad pacis negotia."
[218] *Ibid.*, I, xxxvi, 180: "Quid autem excelsius et magnificentius, quam exercere mentem, afficere carnem et in servitudinem redigere."
[219] *Ibid.*, I, xxxvi, 180.
[220] *Ibid.*, I, xxxvi, 181; xxxviii, 190.

In all this again, Ambrose follows the Stoics, yet his concept of courage becomes definitely a Christian virtue. The courageous man is Christ's athlete, who is supported in all his conflicts by the hope of a crown. He mortifies himself[221], and resigns himself to the Divine Will[222]. His courage tends to take the form of patient endurance, unshaken by fear or desire, standing firm against all temptations, especially those of avarice, anger and ambition[223]. Courage in this interpretation is unwavering patience of soul; and out of all the heroes of the Scriptures, Ambrose selects Job as most worthy to be considered the bravest of men[224].

Justitia

Cicero considered justice in its strict sense, that a man injure no one unless first provoked by injury[225]; and in a wider sense, he included charitableness, generosity or kindness. He considers charitableness as a sequence of justice, and bases generosity on the law of nature, and the common bond of human society[226].

St. Ambrose observes the religious character of the virtue of Justice. "Fundamentum ergo est justitiae fides; justorum enim corda meditantur fidem[227]." The piety of justice is first shown towards God, secondly, to one's country, thirdly, to parents, and finally towards all[228]. The fear of the Lord is the beginning of justice as well as of wisdom. "Hence springs love which prefers others to self, and not seeking the things which are its own, and in this lies the glory of justice[229]." Therefore, justice first of all establishes our relation with God[230]. Ambrose accepts the words of Cicero that the foundation of justice is faith[231], but by faith Cicero means good faith, while St. Ambrose means Christ. Christ is the foundation, and upon Him we place our works of justice[232].

In relation to man, two parts of justice are distinguished: justice in the narrower sense, and kindness *(Beneficentia)*[233]. Justice in the narrower sense is described: "The rule of justice is plain, namely, that a good man should not swerve from the truth, nor inflict an unjust loss on anyone, nor act in any way deceitfully or fraudently[234]." Justice in this narrower sense involves strict honesty in trade[235], in contracts and agreements[236], and thefts should be restored in a fourfold manner after the example of Zacchaeus[237]. Usury which involves the ruin of another for one's own advantage is strongly prohibited[238].

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[221] *Ibid.*, I, xxxvi, 183.

[222] *Ibid.*, I, xxxviii, 191.

[223] *Ibid.*, I, xxxviii, 87, 91; xxxix, 93.

[224] *Ibid.*, I, xxxix, 194.

[225] Cicero, I, vii, 20: "Sed iustitiae primum munus est, ut ne cui quis noceat nisi lacessitus iniuria."

[226] *Ibid.*, I, xvi, 50—51.

[227] Ambrose, I, xxix, 142.

[228] *Ibid.*, I, xvii, 127.

[229] *Ibid.*

[230] *Ibid.*

[231] Cicero, I, vii, 23.

[232] Ambrose, I, xxix, 142.

[233] *Ibid.*, I, xxviii, 130.

Cicero and the pagan moralists, while claiming that the first form of justice is not to do harm to anyone, defended the right to revenge an injury, and the right to own private property[239]. Both these alleged rights are denied by Ambrose. Revenge is forbidden by the Christian law[240], and injuring another for one's own benefit is definitely against Nature[241]. A Christian may not injure another under any circumstance, not even in self-defence against an unprovoked attack[242]. Ambrose believes that a Christian must leave to God the task of defending himself and avenging his wrongs. Finally, the right of private property is also inconsistent, not only with the teachings of Scripture, but also with Nature itself which produces all things for the common good of all[243].

It is on kindness, the second aspect of justice that Ambrose chiefly lays stress. This is due to the Catholic doctrine of the love of God and one's neighbor, and the example of Christ, Who is the Authority for Ambrose's teaching. The essence of justice is charity which is not content with merely working without harm to others, but rather sacrifices itself to do them good. "Great is the splendor of justice; it exists for the good of others, rather than of self, and strengthens the bond of fellowship among men[244]." The just man never desire to increase his own advantage to the disadvantage of another. Let no man seek his own honor, but the honor of others[245]. This justice imposes on us the obligation to help one another, to vie with one another in a good way, to place all our advantages at the disposal of all, and so strengthen the bonds of human society[246].

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[234] *Ibid.*, III, xi, 73.
[235] *Ibid.*, III, ix, 63.
[236] *Ibid.*, III, x, 66—69.
[237] *Ibid.*, I, xxx, 145.
[238] *Ibid.*, III, iii, 20.
[239] Cicero, I, xxxvi, 132—33.
[240] St. Ambrose, I, xxviii, 131.
[241] *Ibid.*, III, iii, 23; iv, 24.
[242] *Ibid.*, III, iv, 27; ix, 59.
[243] *Ibid.*, I, xxviii, 132.
[244] *Ibid.*, I, xxviii, 136.
[245] *Ibid.*, III, ii, 13; iii, 15.
[246] *Ibid.*, I, xxviii, 135.

Kindness in itself consists of two elements: good will *(benevolentia)*, and liberality[247]; both aspects are indispensable[248]. Good will, which is the sincere desire and good intention of benefiting others, is the source of liberality, and superior to it[249]. "It is the intention which makes a gift rich or poor; and gives things a value[250]." The extinction of good will would be no less disastrous to the world than the extinction of the sun[251]. "Good will begins at home with children, parents, brothers, and goes on step throughout the whole sphere of human society. Starting with the mutual affection of Adam and Eve in Paradise, it has filled the world[252]." The Church is preeminently the School of Good Will. Good Will is increased by faith, by baptism, by the bond of grace received through the Sacraments[253]. On the contrary, with Cicero, good will is based on the bonds of affinity and fellowship[254].

Liberality may be shown in the giving of money, and in the giving of personal counsel and help, which is often more valuable than money[255]. Ambrose says that in giving money, it should be done with the intention of doing good[256], that is, not under the pretence of giving more than is actually given[257], in secret[258], and to the utmost limit of one's means, and sometimes even beyond the limit[259]. As to a method, he lays down various practical rules which though primarily intended for the guidance of the official dispensers of alms for the Church, are also of general application. Christian liberality is exercised particularly for the poor, who are Christ's representatives on earth[260]. But this is not the only form of liberality, for all benefits received must be repaid with generous interest[261]. However, in good works and the relief of the poor, one should strive to find a prudent course between reckless bounty and too-cautious parsimony[262].

Thus, kindness which is strictly only a part of justice, is so emphasized that it really takes the place of justice. Justice is no longer an exact and conscientious balancing of rights and duties; it is now a "caritas quae alios sibi praefert, non quaerens quae sua sunt"[263]. Justice takes on the form of charity. Although this supreme virtue of Christianity is not treated in its own particular category, it is classed among the cardinal virtues under the name of justice.

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[247] *Ibid.*, I, xxx, 143.
[248] *Ibid.*, I, xxx, 151.
[249] *Ibid.*, I, xxxii, 166.
[250] *Ibid.*, I, xxx, 149.
[251] *Ibid.*, I, xxxii, 167.
[252] *Ibid.*, I, xxxii, 169.
[253] *Ibid.*, I, xxxiii, 170.
[254] Cicero, I, xvii, 55.
[255] Ambrose, II, xv, 73.
[256] *Ibid.*, I, xxx, 144.
[257] *Ibid.*, I, xxx, 146.
[258] *Ibid.*, I, xxx, 147.
[259] *Ibid.*, II, xxviii, 136.
[260] *Ibid.*, I, xi, 38—39; II, xxv, 126—27.
[261] *Ibid.*, I, xxxi, 160—62.
[262] *Ibid.*, II, xvi, 76—78.

Such are the moral virtues according to St. Ambrose. The ancient names survive, but the content in each case has been radically altered. Prudence is now the knowledge of God, expressing itself in practical piety. Temperance takes on the form of mild and gracious modesty. Fortitude becomes patience of soul. Justice is transfigured into selfless charity. Such notions are surely different from those of Cicero and the early moralists. Ambrose has retained the classical terminology, but refashioned the virtues into something positive in the light of faith.

Conclusion

St. Ambrose was a pioneer in the field of exposition of Christian ethics. He had at hand Cicero's treatise which covered the ground in terms of Stoicism. He took from Cicero his general plan, vocabulary, and even at times whole sentences with scarcely any changes in wording. However, his approach was entirely different from that of Cicero — for at the very beginning, he placed his treatise on the spiritual level, by basing it on the truths of faith. It is hoped, that this brief survey sufficiently demonstrates the approximation as well as the differences in the respective *De Officiis* of Cicero and St. Ambrose. The former is purely philosophical; the latter, being essentially based on religion, immediately identifies itself with the highest and deepest motives for human conduct. However, the Christian treatise at the same time incorporates all the lofty precepts of the pagan, but renders them more efficacious by assigning higher motives for their realization.

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[263] *Ibid.*, I, xxvii, 127.

THE PROBLEM OF 17TH CENTURY SOTERIOLOGY IN REFERENCE TO MILTON

CHAPTER II

MILTON'S CONCEPT OF SOTERIOLOGY IN *DE DOCTRINA CHRISTIANA*

Milton was not the man to be content with the ablest of contemporary theologians. It was the very center of his Protestantism that no man, no session of men, though called the Church, can judge the sense of Scripture to another man's conscience[1]. He tells us:

> Every believer has a right to interpret Scripture for himself, inasmuch as he has the Spirit for his guide, and the mind of Christ in him; nay, the expositions of the public interpreters can be of no use to him, except so far as they are confirmed by his own conscience[2].

In the light of these statements from his treatise, it is clear that Milton believed that the Scriptures were divine in origin and inspiration, and followed the Lutheran concept that they were to be interpreted by the individual believer illumined by the Holy Spirit. While he may have been unconsciously influenced by other theologians of his own and earlier times, Milton was sure his system was based on Scripture and formulated by him with the aid of the Holy Spirit. The basis of his theology, even those parts which are not orthodox, is the Bible, illumined by the Holy Spirit[3].

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[1] A. Sewell, *A Study in Milton's Christian Doctrine* (London, 1939), p. 2. Basil Willey makes a somewhat similar observation in his study on Milton and scriptural interpretation. He observes that Milton holds a moral sense, which is the law of God written upon the heart and is the final tribunal—superior even to Scripture itself. Through that, the Spirit which inspired the sacred writer, here and now, speaks to the individual believer. He observes that Milton possesses a twofold scripture: "not, significantly, the twofold scripture of the scientific writers, the Bible and nature, but one 'external' (The Bible), and the other 'internal' which is the Holy Spirit speaking in the heart." *Seventeenth Century Background* (London, 1934), p. 71.

[2] J. Milton, *Christian Doctrine*, trans. Charles R. Sumner (London, 1825), p. 472. For a complete outlined analysis of Milton's *Christian Doctrine* see Albert Eisenring's dissertation *Milton: De Doctrina Christiana. An Historical Introduction and Critical Analysis* (Switzerland, 1946).

[3] H. Belloc, *Milton* (Philadelphia, 1935) p. 294.

Milton's heterodoxy is more than apparent in his presentation of Christ. Although his recognition of Christ's person and work on earth is acceptable, it is his view regarding the origin of Christ and His relation to His Father wherein he begins to err[4]. It is not too much to say that he is Arian in making Christ a divine being, yet, distinctly lower than God. He further considers the Holy Ghost still more subordinate[5]. Yet, quite in contrast to these false trinitarian features of the teaching of Milton, it is remarkable to find that his soteriological orientations are conformable to orthodox Catholic dogma. It is with these soteriological ideas of Milton that this chapter is primarily concerned.

After considering the Province of God in relation to the fall of man, Milton plunges into an examination of man's restoration and Christ as Redeemer. Concerning restoration we are told:

> Restitutio hominis est, qua is a Deo patre per Jesum Christum peccato et morte liberatus, ad statum gratiae et gloriae longe praestantiorem quam unde exciderat erectus est[6].

In this restoration are comprised the renovation of man and the Redemption[7].

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[4] D. Cairns, "The Theology of Paradise Lost", *Bibliotheca Sacra*, CV (1948), 485.

[5] J. Hanford, *A Milton Handbook* (New York, 1947), p. 231. George Whiting in discussing this problem seems to feel that Milton's doctrinal error concerning Christ may have sprung from the difference between Eastern and Western orthodoxy. He tells us: "It should be remembered that there is some difference between Western and Eastern orthodoxy. The Western emphasizes divine unity, the Eastern subordination. Greek theology found divine unity in the Father, Son, and Holy Ghost being subordinate. Roman theology found unity in the divine nature or substance, without subordination. Milton's idea of the Trinity seems to approach those comparatively early stages in the evaluation of the dogma when the Son, partly defined as the Logos of Greek philosophy, was regarded as inferior to the Father, though sharing his essence . . . This note suggesting Milton's indebtedness to the Greek commentaries (and perhaps Ambrose) who seem to have emphasized the Father and the Son, rather than those Latin Fathers, who emphasized the Trinity, may establish some basis for the anti-Trinitarianism of the *De Doctrina Christiana* and *Paradise Lost.*" "The Father to the Son," *MLN*, LXV, (1950), 193.

[6] Joannis Miltoni, *De Doctrina Christiana* (Cantabrigiae, 1825), Caput XIV, p. 203. Here Milton quotes Rom. 5:15, for his source. "At non ut offensa, ita ut donum gratuitum; nam si unius offensa multi mortui sunt, multa magis gratia Dei et donatio per gratiam quae est unius hominis Jesu Christi, in multos exundavit . . . etiam si per unam offensam mors regnavit per unum, multo magis ii qui exundantiam illam gratiae et donum justitiae recepiunt, in vita regnabunt, per unum Jesum Christum."

[7] Strictly speaking, "The Renovation of Man and His Calling," which is examined in chap. xiv of the *De Doctrina Christiana* is extraneous to the doctrine of soteriology and will receive little consideration here. Therefore, for purely soteriological purposes, a discussion of the Redemption will be sufficient.

> Redemptio qua iuxta aeternum Dei Patris consilium et gratiam, Christus in plenitudine temporum missus, sanguinis sui pretio sponte persoluto omnes credentes redemit[8].

Even before man had confessed his guilt, God nevertheless, in pronouncing the punishment of the serpent, previously to passing on man, promised that He would raise up from the seed of the woman one who should bruise the serpent's head. And "redemptor autem sive mediator unicus est Christus[9]."

Milton teaches that Christ became man in order to reconcile God's justice and mercy, so God could forgive man and at the same time remain just by exacting the penalty for sin upon His Son. Christ's conception is to be immaculate and He is to be born of a virgin, thus uniting His nature with that of a man in one personality. He felt that all men sinned in Adam, and that in Christ, all men are represented. As Adam headed the race for failure, so Christ represents it for victory over Satan and the defeat of sin in man's nature. The union of the two natures of man and God, so that Christ can represent mankind, is clearly expressed by Milton in the lines, "Quanto satius est igitur scire hoc tantum, mediatorem nostrum Dei Filium carnem esse factum Deum atque hominem et dici et esse, quem idcirco Graeci uno verbo aptissime Θεάνϑρωπον[10]." Cairns maintains that Milton held what is called the commercial or Anselmic theory of the atonement, which was propounded by Anselm of Canterbury in the eleventh century. According to this theory, "the majesty of God requires Him to punish sinners, but His love desires their forgiveness. This conflict in the attitude of God is reconciled by the sacrifice of Christ, whose death as a God-man is an exact equivalent or satisfaction for the sins of mankind. God is then free to forgive the sinner . . .[11]."

Two points are to be considered in relation to Christ's character as Redeemer: His nature and office. His nature is twofold; divine and human. Concerning the divinity of the Son, Milton felt that if the Son is to be "omnis tamen rei creatae primogenitus[12]" it is evident that God of His own will created, or generated or produced the Son endued with the divine nature before all things. Yet, just as the Son who is begotten is not co-eternal with the Father for the decree itself must be prior to its execution and consequently created within the limits of time; so it is that in creating the Son, God imparted to Him as much of the divine nature as He pleased. In his own words:

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[8] Milton, *op. cit.*, p. 203. Milton speaks of the promise made to all mankind, and the expectation of the Redeemer more or less distinct, even from the time of the fall. Gen. 3:15 "Inimicitiam pono".

[9] *Ibid.*, p. 205.

[10] *op. cit.*, p. 210.

[11] Cairns, *op. cit.*, p. 488.

[12] Milton, *op. cit.*, p. 207.

> It must be understood from this, that God imparted to the Son as much as He pleased of the divine nature, nay of the divine substance itself, care being taken not to confound the substance with the whole essence which would imply, that the Father had given to the Son what He retained numerically the same Himself; which would be a contradiction in terms instead of a mode of generation[13].

Again he asserts this view:

> Certain it is . . . that the Son existed in the beginning . . . and was the first of the whole creation . . . This must be spoken of two persons not only not co-essential but not coequal . . . Hence it follows that the Father and Son differ in essence[14].

From these references, it is apparent that Christ did not exist from all eternity, is not equal to or of the same substance as the Father, and is a created being. Quite in contrast to Belloc's mistaken claim that Milton is a Unitarian[15], he is most certainly an Arian. The essence of Unitarianism is to assert that Christ was a human being, which doctrine was quite thoroughly propounded by Servetus. Milton is more sympathetic to Ochino's thought that the Son is part of the Father's essence, only as much as the Father wished to convey Him. Despite the fact that none of Christ's miracles are mentioned by one who used Scripture so extensively as Milton, he does stress the fact that Christ before His incarnation was God, though inferior to the Father by creation. He is careful to assert the deity of Christ, though denies His eternity with the Father, a doctrine put forth by the Ochino-Socinian school. The Son is the agent of the Father in creation of angels, the world, and man, and in the defeat of Satan.

From these views then, it is expected that Milton will assign to the Holy Spirit an ever lower rank in the Godhead. He gives an inferior place to the Holy Spirit in relation to God and Christ, although he feels that the Holy Spirit can help the believer to understand things mysterious. In the *Paradise Lost*, he has the Holy Spirit present with Christ as an agent of the Father in creation, and pictures Him as dwelling in the heart of the Christian and inspiring him.

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[13] *Ibid.*, V, 87. He draws this conclusion from the text in Heb. 1 : 2 "whom He hath appointed heir in all things, by whom also He made the worlds; who being the brightest of His glory, and the express image of His person."

[14] *Ibid.*, p. 82.

[15] Belloc, *op. cit.*, p. 292.

> but from Heav'n
> Hee to his own a Comforter will send,
> The promise of the Father, who shall dwell
> His Spirit within them, and the Law of Faith
> Working through love, upon their hearts shall write,
> To guide them in all truth, and also arm
> With spiritual Armor, able to resist
> Satan's assaults, and quench his fiery darts,
> What man can do against them, not afraid,
> Though to the death, against such cruelties
> With inward consolations recompens't
> And of supported so as shall amaze
> Thir proudest persecutors; for the Spirit
> Pour's first on his Apostles, whom he sends
> To evangelize the nations, then on all
> Baptiz'd, shall them with wondrous gifts undue
> To speak all tongues, and do all Miracles,
> As did thir Lord before them. Thus they win
> Great numbers of each nation to receive
> With joy the tiding brought from Heav'n: at length
> Thir Ministry perform'd, and race well run,
> Thir doctrine and thir story written left,
> They die; but in thir room, as they forewarn,
> Wolves shall succeed for teachers, grievous Wolves,
> Who all the sacred mysteries of Heav'n,
> To thir own vile advantages shall turn
> Of lucre and ambition, and the truth
> With superstitions and traditions taint,
> Left only in those written Records pure,
> Though not only but by the Spirit understood.
> (XII, 485—514)

He tells us:

> The Holy Ghost inasmuch as He is a minister of God, and therefore a creature, was created, reproduced of the Substance of God, not by a natural necessity, but by the free will of the agent, probably before the foundations of the world were laid, but later than the Son, and far inferior to Him[16].

Maurice Kelley is careful to observe that the muse whom Milton invokes in his *Paradise Lost* and *Paradise Regained* is not the Third Person of the Trinity but none other than God the Father. Since the *De Doctrina Christiana* forbids invocation of the Third Person, and since the attributes of Milton's muse correspond to those assigned to God the Father in the treatise, Kelley concludes:

> When he sought divine guidance for his supreme poetical effort, invoked a muse who was not the Third Person but a personification of various attrib-

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[16] Milton, *op. cit.*, chap. vi, p. 171.

utes of God the Father, and thus turned for inspiration and knowledge not to what he considered a subordinate figure but to the very fountainhead of all wisdom[17].

Larson also observes that Milton's muse "is nothing less than God himself, a God that is a model Trinity"[18].

Now, we are in somewhat of a position to evaluate Milton's doctrine of the Trinity. From the facts already stated, it is clear that he feels the Son, though of the same essence, is inferior to the Father and that the Holy Spirit is inferior to the Son, and that both were created by the Father in time and did not exist from all eternity. He doubts the doctrine of the Trinity because to him it has no foundation in Scripture. Thus he is an anti-Trinitarian with regard to the relation of the Persons of the Godhead and an Arian with reference to the relation of Christ to the Father.

In reference to the humanity, Christ by His incarnation took upon Himself human nature, without thereby ceasing to be numerically the same as before. Milton refutes the explanation of Zanchius by[19] maintaining that it is impossible to assume human nature without at the same time assuming man.

> Natura enim humana, id est, forma in materia eodem temporis puncto constituit hominem, nulla parte essentiae suae destitutum, ne substantia quidem, ei quid id est, aut personalitate; sed illo profecto praeter existentiam substantialem prorsus est nihil: haec mera est vox . . . certa λόγος id factus est quod assumpsit; si humana naturam, non hominem, humana natura factus, non homo; quae duo separari non possunt[20].

The next step in Milton's soteriological doctrine is concerned with the function of the Mediator, human as well as divine and His threefold office. Concerning the mediatorial office he tells us:

> Officium eius mediatorium est quo, a Deo patre ad id designatus, ea omnia libens praestitit, etiamnumque praestat quibus humano generi pax apud Deum et sempiterna salus acquiratur[21].

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[17] M. Kelley, "Milton and the Third Person of the Trinity," *SP*, XXXII, (1935), 234.

[18] Larson, *op. cit.*, p. 926.

[19] Milton, *op. cit.*, p. 208. Assumpsit humanam naturam non hominem proprie loquendo. Nam λόγος in utero virginis existens humanam naturam sibi ipse, in seipso, tum corpus ex substantiam Mariae formando, tum animam simul creando assumpsit; atque ita illam in seipso, et sibi assumpsit, ut illa natura nunquam per se substiterit, extra λόγος, sed et tum primum, et deinceps semper in λόγος tantum substiterit. Tom. I, Par. II, Book II, c. 7.

[20] Milton, *op. cit.*, p. 208.

[21] *Ibid.*, chap. xv, p. 214. One of the texts used for this is from John 3: 16—17. "Filium suum dedit, misit in mundum et v. 34 non admetitur huic Spiritum." And 10: 16 "quam Pater sanctificavit, et misit." He also ascribes the name

In treating of the function of the Mediator, His threefold office is considered, as prophet, priest, and king. First, "Propheticum est ecclesiam suam caelesti veritate erudire, plenamque patris voluntatem edocere"[22]. This office consists of two parts; one external and the other internal. The external is concerned with the promulgation of divine truth as found in Matt. 4: 17 "ex eo tempore coepit Jesus praedicare et dicere —" and the internal concerns itself with "mentis illuminatio"[23] as is seen in Luke 24: 32—45:

> Nonne cor nostrum ardebat intra nos, dum aperiret nobis scripturas? tunc aperuit eorum mentem, ut intelligerent scripturas.

This prophetical office of Christ began with the creation of the world and will continue until the end of all things. Christ's sacerdotal office "est quo Christus pro peccatoribus hostiam se Deo patri semel abtulit, proque nobis semper intercessit et etiamnum intercedit"[24]. Once offered; virtually "Virtute quidem et efficacia ab ipso mundi principio"[25] and actually in the fulness of time, and that once for all, "Christus semel pro peccatis passus" (1 Pet. 3: 18). Being Godman, He offered Himself in the capacity of a sacrifice, but, however more particularly in His human nature[26]. He makes intercession first, by appearing in the presence of God for us, and secondly, by rendering our prayers agreeable to God, and encouraging us and persuading us to address God as our Father through faith. Christ's kingly function is "quo Christus a Deo patre rex creatus acquisitam ab se ecclesiam interna potissimum lege ac spirituali potestate regit atque conservat, hostes vincit atque debellat"[27]. Hence from being governed chiefly by an inward law, it follows that external force ought never to be used in the administration of the kingdom of Christ.

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and office of Mediator in a certain sense to Moses, as a type of Christ. And again it is manifested in the *Paradise Lost.*

To God is no access
Without Mediator, whose high office now
Moses in figure bears, to introduce.
(XII, 239—242)

[22] *Ibid.*, p. 215. Here Deut. 18: 15, "Prophetam e medio tui suscitabit tibi Jahova."

[23] *Ibid.*, p. 215.

[24] Milton, *op. cit.*, p. 215. Ps. 110: 4, "Tu es sacerdos in seculum secundum ordinem Melchesedechi."

[25] *Ibid.*, p. 217.

[26] *Ibid.*, This he maintains cannot be denied from the many passages expressly indicated in Scripture. He cites Matt. 20: 28, Acts 20: 28, Col. 1: 20, Heb. 9: 12, 1 Pet. 2: 24, 1 John 4: 10, Rom. 3: 25.

[27] *Ibid.*, p. 218.

Quibus ex rebus, cum praestantia regni Christi prae caeteris omnibus, tum ejus divina ratio elucit: quandoquidem non corpora solum, ut magistratus civilis, sed animum maxime et conscientiam regit: idque non vi et armis corporeis, sed iis rebus quae mundi judicio infirmissimae sunt. Quapropter et vis omnis externa ab regno Christi, quae est ecclesia, abesse debet[28].

Accordingly, the weapons of those who fight under Christ as their King are exclusively spiritual. The kingdom of Christ is also styled the kingdom of grace and the kingdom of glory. The kingdom of grace is the same as the kingdom of heaven, which is at hand. The kingdom of glory is that which is destined to be made more manifest at His second coming. This kingdom is, like His priesthood, eternal, i. e. it will endure as long as the world will last, and as long as there shall be occasion for His mediatorial office[29]. The same period applies to His priestly and prophetic office.

It is quite evident that the mind of Milton was concerned with how man was related to God, or how he could become one with God. He finds his answer in the mediatorship of the Son, the Head of God's mystical church, the being of whom men may become members. The members become one with God through the mediatorial function of the Son-prophet, priest, and king — yet, in an anti-trinitarian fashion. McDill maintains that Milton takes over Calvin's view bodily in his discussion of Christ as prophet, priest, and king[30]. In chap. v, "Of the Son", Milton says that if we are to be reconciled to God through a Mediator, that Mediator cannot be one with God, cannot be the same God to whom we are reconciled. No God could reconcile us to Himself. As Mediator, not merely as man, Christ speaks of Himself in a way that leaves no doubt of His difference from and inferiority to the Father. When He says "not as I will, but as thou wilt"[31], He speaks in the whole of His nature showing that His will is other than and subordinate to the will of the Father[32]. Christ, because He is Mediator, must be inferior to Good—for how should He be sent from God, how should He be obedient to God, if He is co-equal with God. Because the Son would offer Himself as Mediator, He must therefore be inferior to the Father[33]. Hence, Milton is basing his doctrine of Mediation on his theory of anti-trinitarianism.

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[28] *Ibid.*, p. 219.
[29] *Ibid.*, p. 220.
[30] J. McDill, *Milton and the Pattern of Calvinism.* (Nashville, 1942), p. 335.
[31] Milton, *op. cit.*, chap. xiv, p. 304.
[32] *Ibid.*
[33] *Ibid.*

The ministry of the Redemption is concerned with the manner in which the mediatorial office is discharged. This includes the state of humiliation to which the Redeemer submitted and His state of exaltation. The humiliation of Christ is "In quo Christus ΘΕΑΝΘΡΩΠΟΣ cum in vita tum in morte divinae iustitiae se sponte subiecit ad ea omnia subeundo quibus redemptio nostra perficienda erit"[34]. This humiliation is considered under the aspects of His character as Godman, of His life and death. Concerning the character of the God-man, Milton holds that the presence of an angel would have been superfluous, unless the divine nature of Christ, as well as the human had needed support[35]. In life, he refers to His circumcision, His flight into Egypt, His subjection to His parents, etc. In death, His death was ignominious in the highest degree; He was detained in the grave three days after death, His death being real. Consequently, His soul, which must have died on the same day with the body must have descended into hell[36]. Here Milton considers the problem of whether Christ yielded to death in His divine nature likewise. His solution is deduced from the passage in Rom. 19: 9. "Si professus fueris ore tuo Dominum Jesum, et credideris in corde tuo quod Deus eum suscitavit ex mortuis, servaberis", and if we are to confess with the mouth the Lord Jesus God raised from the dead, we ought to confess with the mouth the Lord Jesus, that is the whole person of Jesus; therefore the whole person of the Lord Jesus died.

This brings us to the problem of Milton and the Mortalist heresy. For Milton, man is a living being, intrinsically and properly one and individual, consequently not compound, not made up of two distinct and different natures. The whole man is soul and the soul is man. Seeing that every form, to which class the human soul must be considered as belonging, is produced by the proper power of matter, it is evident the human soul is not created by the immediate act of God, but propagated from father to son in a natural order, which mode of propagation is the proper effect of that power which had been communicated to matter. Now, death is the loss or extinction of life, not the separation of soul and body. Man is an inseparable unity, and, consequently the whole man dies as well as each component part suffers privation of life, whether they be called the body or the soul or the spirit. Even Christ's soul and

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[34] *Ibid.*, p. 221.

[35] *Ibid.*, p. 221. He tells us, "Si natura divina nihil perpessa est, cur exclamanti non adfuit? si cum posset noluit, cur Patrem invocavit cuius voluntas una eademque fuit."

[36] *Ibid.*, p. 222.

His divinity were for some time dead. Souls, after death, simply sleep (do not exist after death anymore) until the day of judgment when resurrection will follow[37]. Sewell maintains that besides Milton's denial of a division between body and soul, another reason for his accepting the Mortalist theory is that which was mentioned in the 1643 *Man's Mortallitie.* He tells us:

> There it is pointed out that if the soul is separate from the body, if it is not imparted with the seed, it must be specially created with every birth. This is to impose on God a tedious task, not even, as Milton indicates, giving him due rest on the Sabboth. More: it is to charge God with infusing in us a soul which is the 'author of all sinne'. We must be content to repeat his own words, that death is a sleep until the second coming of Christ; that after the day of judgment, the good shall be one with Christ . . .[38]

John Erskine observes concerning Milton's mortalism:

> Milton seems to have made the acquaintance of this idea in Calvin's *Psycho-Pannychia* (*Opera*, ed. Baum, Cunitz, Reuss, V, 168) a tract written in 1534 against the idea. The doctrine had been taught by certain of the early Anabaptists, whom Calvin felt it necessary to answer[39].

Cairns holds that this theory results necessarily from Milton's doctrine that all matter is in God and of God, consequently making the soul of man corporeal[40]. Conklin makes an unusual and most interesting observation when he tells us:

> But there is one other figure, that of a great theologian, whose attitude toward the intermediate state is of particular interest, not alone because Milton may have known of his position on the subject, but chiefly because unorthodoxy in such a matter has been rarely associated with his name and has been completely disavowed by his followers. It is not widely known today -nor was it, for that matter, in the seventeenth century -that Martin Luther in some of his writings favored the psychopannychian doctrine[41].

and concludes "the only evident resemblance to Luther lies, of course, in the fact of scriptural derivation; but it can at least, be observed that Milton, in his opposition to the orthodox conception of the intermediate state of the soul, had distinguished company"[42]. Professor Saurat maintains that the Mortalists, a group of English thinkers contemporary with Milton who held that the soul and body are born and die together, to await a joint (if any) resurrection, not only influenced the poet but associates him as a collaborator with Overton or Wrighter in the 1655 edition of *Man's Mortallitie*[43]. Saurat shows parallels between Overton and Milton. He points out similarities between the two on procreation and how this morality is proved, on God being the efficient cause of all creatures and all creatures originating from the same matter[44]. He finally concludes that it is

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[37] Milton, *op. cit.*, chap. xiii.

[38] Sewell, *op. cit.*, p. 182—5.

[39] J. Erskine, "The Theme of Death in Paradise Lost," *PMLA*, XXXII, (1917), 575.

[40] Cairns, *op. cit.*, p. 112.

[41] G. N. Conklin, *Biblical Criticism and Heresy in Milton* (New York: 1949), p. 83.

[42] *Ibid.*, p. 85.

> . . . necessary to admit that Milton knew the pamphlet *Man*'s *Mortallitie*, discussed it with the authors, who were among his friends, and absorbed the very substance of it. It is impossible to believe that men who were acquainted, who brought their whole spirit into propaganda work, and who held in common so many ideas that were anathema, should not have worked together[45].

and Milton while adopting the ideas of the Mortalists, kept his own intensely religious spirit, and particularly his absorbing thirst for justice. To him, immortality was necessary and in the 1655 edition, he lifted their whole conception into a more religious atmosphere[46]. For the person of Christ, though, Milton acquainted with the idea of the existence of the Incarnate Word prior to the creation of the world, does not attribute this Mortalists doctrine to the Second Person. It is only in creatures that he recognizes and applies the theory.

The humiliation of Christ was succeeded by His exaltation.

> The humiliation of Christ was succeeded by His exaltation. Exaltatio est qua Christus triumphata morte et disposita servi forma ad immortalitatem summamque gloriam. Partim sui merito partim largiente Patre nostro quidem bono suscitatus a Deo patre, et resurrexit, et ascendit, et ad dexteram Dei sedet[47].

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[43] D. Saurat, *Milton, Man and Thinker* (New York, 1925), p. 312.

[44] *Ibid.*, p. 313—18. Concerning the transformation of matter Overton says "... he (Spirit) gave that lifelesse Body a communicative rationall Facultie . . . and so it became a living creature, or complete anthropos," while Milton on the other hand holds, ". . . an inspiration of some divine virtue fitted for the exercise of life and reason, and infused into the organic body . . . for man himself, the whole man, when finally created, is called in express terms a living soul . . . the whole man is soul and the soul man . . ." Overton humorously points out ". . . then the principall or efficient cause deepest in the transgression was lesse punished, then the instrumentall, the Body being but the Souls instrument whereby it acts and moves: as if a magistrate should hang the Hatchet, and spare the man that beate a mans braines out with it," while Milton points out the error of those who say the body alone dies in the words, ". . . what could be more absurd than that the mind, which is the part principally offending, should escape the threatened death, and that the body alone . . . should pay the penalty of sin by undergoing death, though not implicated in the transgression."

[45] *Ibid.*, p. 320.

[46] *Ibid.*

[47] Milton, *op. cit.*, p. 223.

This exaltation which was for the benefit of mankind consists in three degrees; resurrection, ascension into heaven, sitting at the right hand of the Father[48]. Yet, the human nature of Christ although exalted to a state of highest glory, exists nevertheless in one definite place and has not the attribute of ubiquity[49]. As Christ emptied Himself in both His natures, so both participate in His exaltation; His Godhead by its restoration and manifestation; His manhood, by an accession to glory[50]. The effect and design of the whole ministry of mediation is the satisfaction of divine justice on behalf of all men and the conformation of the image of Christ. The satisfaction of Christ "est qua Christus ΘΕΑΝΘΡΩΠΟΣ legem implendo iustumque pretium salvendo, divinae iustitiae pro omnibus plena satisfecit"[51]. Christ fulfilled the law by perfect love of God and His neighbor, until the time when He laid down His life for His brethren, being made obedient to His Father in all things. His satisfaction is for all mankind, not just the elect, but for all sinners; whereas it regards the elect (those who eventually will be saved because they collaborated with grace, whereas the future reprobate did not) insofar as they were previously sinners. All are redeemed, even those who know not of it, or are yet sinners, but none are purified except their wills be consenting, and they have faith. The effect of Christ's satisfaction is sufficient to produce reconciliation of God the Father with man.

Here we are brought to the problem of predestination. As we have seen, Calvin holds the eternal decree whereby God determined himself what He wanted to become of every man, for all are not created to a same state: on the contrary, some are predestined to eternal life, and some to eternal damnation. For Milton, predestination, a word used only in the sense of election, never in that of reprobation, is a special divine decree whereby God, though foreseeing that man would fall of his own accord, before the foundation of the world, predestined all those who should believe and continue in the faith to eternal salvation for a manifestation of the glory of His grace, mercy, and wisdom according to His purpose in Christ, who died for all. There is, therefore, neither particular predestination nor any preterition of man by God from all eternity, nor any reprobation of individuals from all eternity, nor is anybody excluded from eternal salvation[52]. Milton, like the Anglicans, speaks of predestination to life, and not to death, and closely connects it with God's call consciously received and through grace obeyed—implying thus the cooperation of man, without attempting to solve the mystery of the reconcilement of God's sovereignty and man's freedom[53]. Milton is quite orthodox in this one important point of his doctrine. Although minor differences of interpretation are evident, in the essentials he is very much in harmony with the Roman Catholic Church that had been the teacher of his country for over a thousand years.

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[48] *Ibid.*, p. 224. "Sessio ad dexteram Patris idem est atque ad gloriam et potentiam Deo proximam evectum esse."

[49] Here the doctrine of the Ubiquitarians is alluded to, which held the omnipresence of the body of Christ. Milton seems to agree with Luther who favored it at first in the controversy with Zwingle, but later acknowledged its difficulties especially as connected with the corporeal presence of the Eucharist.

[50] *Ibid.*, p. 225. Evidence of this is found quite clearly in the *Paradise Lost* III, 313.

Therefore thy humiliation shall exalt
With thee thy manhood also to this throne;
Here shalt thou sit incarnate, here shall reign
Both God and man, Son both of God and Man.

[51] *Ibid.*, p. 225.

The second object of the ministry of the Mediator is our conformation. He tells us:

> Secundus finis totius administrationis mediatoriae est nostra ad imaginem Christi, cum exinaniti tum exaltati, conformatio[54].

But he warns us that this belief is not to lend to the doctrine of human merits. For our conformity to the image of Christ adds as little to the full and perfect satisfaction made by Him, as our works do to faith. It is faith that justifies and if we deserve anything, if there be any worthiness in us on any ground whatever, it is God that has made it worthy in Christ[55]. Thus he refers us to the chapter on Justification[56] where he tells us that we are justified by faith, and through faith, and of faith; whether through faith as an instrument, according to the common doctrine, or in any other sense. He adds that good works are the effect of faith, not the cause of justification.

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[52] *Ibid.*, chap. iv.

[53] Eisenring quotes the 14th Article of the Anglican teaching on predestination to which Milton's is so closely allied. "Predestination to life is the everlasting purpose of God, whereby (before the foundations of the world were laid) he hath constantly decreed by his counsel secret to us, to deliver from curse and damnation those whom he has chosen in Christ out of mankind, and to bring them by Christ to everlasting life, as vessels made to honour. Wherefore, they would be undued with so excellent a benefit of God be called according to God's purpose by his Spirit working in due season; they attain to everlasting felicity . . . As the godly consideration of Predestination, and our Election, in Christ, is full of secret, pleasant and unspeakable comfort to godly persons and such as feel in themselves the working of the spirit of Christ, to have continually before their eyes the sentence of God's Predestination, is most dangerous downfall, whereby the Devil doth thrust them either into desparation, or into wretchedness of most unclean living, no less perilous than desperation." *op. cit.*, p. 146.

[54] Milton, *op. cit.*, p. 230. Rom. 3: 29 "conformandos imagini Filii sui."

[55] It is here that Milton goes on to refute the dogma of purgatory, by that full satisfaction of Christ. "Nam ut omittam nullum in scripturis purgatorium eiusmodi inveniri, sane si Christi puros redidit, quod ignis purgare possit nihil omnino relinquitur . . . Quid, quod omnis retributio post hanc vitam

From one point of view, Milton's God is Calvinistic. He plans the creation of the earth and man, knowing of the fall long before man comes being. He also knows of Satan's rebellion prior to its happening. Milton's God is essentially the God of Calvinism in His omnipotence and sovereign will; yet above all, he asserts the free will of man. God known of this fall beforehand through His foreknowledge, but this had no influence on man's fall, that is man did not have to fall because God knew beforehand that he would fall. Though He knew it He did not decree it. Milton never speaks of men whom God has chosen as selected either to receive eternal damnation or salvation. He believes that Christ died for all people and all may be saved. Tillyard summarizes Milton's thought on the subject of free will and predestination in the words: "God in His omniscience has foreknowledge of man's fate but He leaves his will free. No one has been pre-elected to salvation or damnation, but certain men have been singled out for special eminence good or bad[57]." Although Calvinist doctrine helped to shape Milton's conception of God, concerning justification, he is Arminian in holding to man's free will. Arminianism met predestination by free will, implacable necessity by merciful contingency, man the machine by man the self-determining agent[58]. For Milton, man is redeemed from sin by faith alone apart from good works; the works will follow as an expression of our faith in Christ.

Milton's theology is remarkable for its independence. Although he has something in common with the Fathers, the Protestant reformers, the chief heretical sects of the Reformation, and Catholic orthodox teaching, among them all we can nowhere find a parallel for his system. His Soteriology proves quite clearly that he did not follow any one specific theological sect of the seventeenth century. The various problems that sprung from his soteriological views forced him to use ele-

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omnis sensus vel boni vel mali ad tribunal illud Christi reiicitur . . . Et sane si, anima cum corpore ad diem usque resurrectionis abdormiserit, purgatorium nullo alio argumento validius refutatur." *op. cit.*, p. 232—3.

[56] *Ibid.*, chap. xxii. "Iustificatio est sententia Dei gratuita qua regenerati, Christoque insiti plenissimam satisfactionem peccatis et morte absolvuntur et iusti coram Deo non ex operibus legis sed per fidem reputatur."

[57] E. W. Tillyard, *Milton* (New York, 1930), p. 227.

[58] *Supra.*

ments of other systems but Milton cannot be said to have belonged to any of these schools of theology. Despite the fact that many of the elements of Milton's God are Calvinistic, he was certainly not a Calvinist for he denies utterly the theory of absolute predestination[59]. Although he uses a method of scriptural interpretation similar to Luther, Milton could never condone a system that made everything in religion depend upon a faith which rendered human reason and action quite unnecessary, if not positively evil[60]. Because of his rampant rationalism and subordinationism, Milton is allied with the Socinians, yet, on the other hand, he is at odds with them for denying the existence of the Holy Ghost[61]. He is Arian with reference to the relation of Christ to the Father, but to protest as Belloc does that Milton "denies with close and serried argument the divinity of our Lord"[62] cannot be held. His treatise is instinct with vital, albeit qualified, faith in a uniquely divine Christ. When Milton says "there is in Christ a mutual hypostatic union of two natures"[63] he is sincerely professing the divinity of Christ[64]. In reference to the doctrine of predestination he is sympathetic to Anglicanism, yet quite in contrast to the Anglicans, he admits the Virgin birth. He is Arminian in rejecting predestination and holding to free will; but in so many other respects they were severely orthodox (doctrine of grace, Trinity, and the immortality of the soul), whereas Milton was heretical. His fundamental principle in Soteriology that the sacrifice of Christ was strictly vicarious; and that not only was man redeemed, but a price, "life for life" was paid for his redemption is conformable to Catholic teaching, but the Catholic deposit of faith would never allow for his errors on Christ's origin and relation to the Father, the Trinity, Mortalism, etc. Milton is consistent in his original premise found in the treatise; "This doctrine, therefore, is to be obtained, not from the schools of the philosophers, nor from the laws of man, but from the Holy Scriptures alone, under the guidance of the Holy Spirit[65]." In his strict adherence to this, we find that he is a distinct product of the Christian Renaissance.

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[59] Milton, *op. cit.*, chap. iv, p. 44 *et seq.*

[60] Larson, *op. cit.*, p. 906.

[61] Möhler, *op. cit.*, p. 616.

[62] Belloc, *op. cit.*, p. 292.

[63] Milton, *op. cit.*, p. 302.

[64] In *Milton and Wordsworth* (New York, 1937), pp. 97—100, Sir Herbert Grierson disposes of the exaggeration of Milton's Arianism which has figured largely in recent discussion of *Paradise Lost* and *Paradise Regained.*

[65] Milton, *op. cit.*, p. 10.

CHAPTER III

MILTON'S CONCEPT OF SOTERIOLOGY AS EMBODIED IN HIS TWO EPICS OF PARADISE

That *Paradise Lost* and *Paradise Regained* represents faithfully Milton's concept of Soteriology and Redemption as formulated in the *De Doctrina Christiana* cannot be doubted. This chapter, the matter of which has already been discussed in part (Chapter II), will present a comparison of chapters xiv, xv, and xvi of Milton's treatise with *Paradise Lost* and *Paradise Regained*. In this portion of the treatise, Milton discusses the efficacy of God as manifested in the salvation of man: man's redemption, his renovation, the office of the Mediator and the three-fold function, and the ministry of the redemption. Less of *Paradise Lost* and *Paradise Regained* is devoted to these matters than to God and His efficiency as manifested in the decrees, in generation, in creation, and in His government of angels and men; but in certain portions of *Paradise Lost*, chiefly Books III, XI, XII, Milton, in some detail, considers the salvation of man, and there the relationship between the treatise and the epic continues quite closely.

Milton's notion of the restoration of man is that act whereby man, being delivered from sin and death by God the Father through Jesus Christ, is raised to a far more excellent state of grace and glory than that from which he had fallen[66]. In *Paradise Lost* we are told

> . . . till one greater Man
> Restore us, and regain the blissful Seat.
> (I, 4—5)
> . . . Next, to the Son,
> Destin'd restorer of Mankind, by whom
> New Heav'n and Earth shall to the Ages rise,
> Or down from Heav'n descend.

The Redemption is that act whereby Christ, being sent in the fullness of time, redeemed all believers at the price of His own blood, by His own voluntary act, conformably to the eternal counsel of God the Father[67]. The epic reads:

> . . . nor can this be,
> But by fulfilling that which thou didst want,
> Obedience to the Law of God, impos'd
> On penalty of death, and suffering death,
> The penalty of thy transgression due,

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[66] Milton, *op. cit.*, chap. xiv, p. 294.
[67] Milton, *op. cit.*, p. 295.

And due to theirs which out of thine will grow:
So only can high Justice rest appaid.
The Law of God enact he shall fulfil
Both by obedience and by love, though love
Alone fulfil the Law; thy punishment
He shall endure by coming in the Flesh
To a reproachful life and cursed death,
Proclaiming life to all who shall believe
In his redemption.
(*PL*, 395—408)

And in *Paradise Regained*

That all the Angels and Ethereal Powers,
They now, and men hereafter, may discern
From what consummate virtue I have chose
This perfect Man, by merit called my Son,
To earn salvation for the sons of men.
So spake the Eternal Father . . .
(*PR*, I, 163—168)

Or work Redemption for mankind, whose sins'
Full weight must be transferr'd upon my head.
(*PR*, 266—267)

There was a promise made to all mankind, and an expectation of the Redeemer, more or less distinct, even from the time of the fall[68].

. . . reveal
To Adam what shall come in future days,
As I shall thee enlighten, intermix
My Cov'nant in the Woman's seed renew'd;
So send them forth, though sorrowing, yet in peace.
(*PL*, XI, 113—117)
. . . informing them, by types
And shadows, of that destin'd Seed to bruise
The Serpent, by which means he shall achieve
Mankind's deliverance.
(*PL*, XII, 232—235)
. . . how I begin
To verify that solemn message late,
Of which I send thee to the Virgin pure
In Galilee, that she should bear a Son
Great in Renown, and call'd the Son of God.
(*PR*, I, 132—136)

His (Christ's) nature is twofold; human and divine. There is then in Christ a mutual hypostatic union of two natures[69].

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[68] Milton, *op. cit.*, p. 297.
[69] *Ibid.*, p. 301.

Here shalt thou sit incarnate, here shalt Reign
Both God and Man, Son both of God and Man
(*PL*, III, 315—316)
Thir Nature also to thy Nature join;
And be thyself Man among men on earth,
Made flesh, when time shall be, of Virgin seed,
By wondrous birth: (*PL*, III, 282—285)

And he was conceived of a virgin by the power of the Spirit of the Father Himself[70].

A Virgin is his Mother, but his Sire
The Power of the most High. (*PL*, XII, 368—369)

Though men esteem thee low in Parentage,
Thy Father is the Eternal King, whom rules
All Heaven and Earth, Angels and Sons of men.
A messenger from God fore-told thy birth
Conceiv'd in me a Virgin . . . (*PR*, I, 235,—239)

Milton's anti-Trinitarian concept that the Son was begotten as a consequence of a decree; and since the decree must have been anterior to the fulfillment of it, the Son was born within the limits of time, and is consequently not eternal as is the Father[71], finds parallel passages in both his epics of Paradise.

Thyself though great and glorious dost thou count,
Or all the Angelic Nature join'd in one,
Equal to Him begotten Son? By whom
As by his Word the mighty Father made
All things, e'ven thee, and all the Spirits of Heav'n
By him created in thir bright degrees.
(*PL*, V, 833—838)
Hear my Decree, which unrevok'd shall stand.
This day I have begot whom I declare
My only Son, and on this holy Hill
Him have anointed, whom ye now behold
At my right hand. (*PL*, 602—606)

Therefore I thought thee worth my nearer view
And narrower scrutiny, that I may learn
In what degree or meaning thou art called
The Son of God, which bears no single sense.
The Son of God I also am, or was;

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[70] *Ibid.*, p. 306.
[71] Milton, *op. cit.*, chap. v, p. 87.

And, if I was, I am; relation stands:
All men are Sons of God; yet thee I thought
In some respect far higher so declared.
(*PR*, IV, 514—521)
Be not so sore offended, Son of God —
Though Sons of God both Angels and Men —
If I, to try whether in higher sort
Than these thou bear'st that title . . .
(*PR*, 196—199)

Maurice Kelley's refutation of Barber, Woodhouse, Larson and Sewell's contention that nowhere in the epic (Paradise Lost) can it be shown that Milton denies the co-essentiality of the First and Second Persons of the Trinity and that he speaks of the Son in a clearly Trinitarian manner is quite tenable[72]. Kelley maintains that the *De Doctrina Christiana* and *Paradise Lost* belong to the same period of Milton's literary period, and given two works with such a close chronological proximity, we must assume that they contain identical views on a particular subject[73]. More strongly he argues from the failure of these four scholars to recognize that in Book VIII of the epic, Milton clearly repeats the Arian dogma of the *De Doctrina Christiana*. In his reply to God, Adam states

. . . No need that thou
Shouldst propagate, already infinite;
And through all numbers absolute, though One;
(*PL*, VIII, 419—421)

which finds a close parallel in the following passage of the *De Doctrina Christiana:*

> For questionless, it was in God's power consistently with the perfection of his own essence not to have begotten the Son, inasmuch as generation does not pertain to the nature of the Deity, who stands in no need of propagation[74].

Since, then, the *De Doctrina Christiana* and the epic have the same ultimate purpose; both belong to the same period of Milton's literary activity; both contain the same view on the Father, Son, and the Third Person, and therefore, in matters touching the three Persons, the treatise can be used as a gloss upon the poem.

The Mediatorial office of Christ is that office which, at the special appointment of God the Father, He voluntarily performed and continues to perform, on behalf of man, whatever is requisite for obtaining reconciliation with God, and eternal salvation[75].

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[72] M. Kelley, *This Great Argument.* (Princeton, 1941), p. 120.
[73] *Ibid.*, p. 120.
[74] Milton, *op. cit.*, p. 85.

> . . . had not the Son of God,
> In whom the fulness dwells of love divine,
> His dearest mediation thus renew'd.
> (*PL*, III, 224—226)
>
> . . . sending thee
> Man's Friend, his Mediator, his design'd
> Both Ransom and Redeemer voluntary.
> (*PL*, X, 59—61)
>
> . . . as a sacrifice
> Glad to be offer'd, he attends the will
> Of his great Father. (*PL*, III, 269—271)

His function as prophet is to instruct His church in heavenly truth, and to declare the whole will of the Father. Hence He is called "the wisdom of God"[76].

> My word, my wisdom, and effectual might,
> (*PL*, III, 170)

As Mediator, he has the function of priest[77].

> . . . Them the glad Son
> Presenting, thus to intercede began.
> See Father, what first fruits on Earth are sprung
> From thy implanted Grace in Man, these Sighs
> And Prayers, which in this Golden Censer, mixt
> With Incense, I thy priest before thee bring.
> (*PL*, XI, 20—25)

And the function of king[78].

> Here shalt thou sit incarnate, here shalt Reign
> Both God and Man, Son both of God and Man,
> Anointed universal King; all Power
> I give thee, reign forever, and assume
> Thy merits; under thee as Head Supreme
> Thrones, Princedoms, Powers, Dominions I reduce:
> All knees to thee shall bow, of them that bide
> In Heaven, or Earth, or under Earth in Hell.
> (*PL*, III, 315—322)

The humiliation of Christ is that state in which in his character of God-Man he voluntarily submitted himself to the divine justice, as well in life as in death, for the purpose of undergoing all things requisite to accomplish our redemption[79].

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[75] Milton, *op. cit.*, p. 308.
[76] *Ibid.*, p. 310.
[77] *Ibid.*, p. 311.
[78] *Ibid.*, p. 313.
[79] Milton, *op. cit.*, p. 316.

> . . . thy punishment
> He shall endure by coming in the Flesh
> To a reproachful life and cursed death.
> (*PL*, XII, 404—406)
> For this he shall live hated, be blasphem'd
> Seiz'd on by force, judg'd, and to death condemn'd
> A shameful and accurst.
> (*PL*, 411—413)
> . . . ere I send him forth
> To conquer Sin and Death the two grand foes,
> By Humiliation and strong Sufferance:
> (*PL*, I, 158—160)

The soul of Christ had to undergo death for a short time because of our sins.

> Though now to Death I yield, and am his due
> All that of me can die, yet that debt paid,
> Thou wilt not leave me in the loathsome grave
> His prey, nor suffer my unspotted Soul
> For ever with corruption there to dwell;
> (*PL*, III, 245—249)

And Milton's Mortalist theory is made manifest in the words

> . . . it was but breath
> Of Life that sinn'd; what dies but what had life
> And sin? The Body properly hath neither.
> All of me then shall die: (*PL*, X, 789—792)

The ministry of the Redemption is concerned also with the state of exaltation. Christ, having triumphed over death, and laid aside the form of a servant, was exalted by God the Father to a state of immortality and of the highest glory, partly by his own merits, partly by the gift of the Father, for the benefit of mankind; wherefore He rose again from the dead, ascended into Heaven and sitteth on the right hand of the Father[80].

> . . . and hast been found
> By merit more than Birthright Son of God,
> (*PL*, III, 308—309)
> . . . all Power
> I give thee, reign for ever, and assume
> Thy merits. (*PL*, 317—319)

This exaltation consists in three degrees: his resurrection, his ascension into Heaven, and sitting at the right hand of God[81].

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[80] Milton, *op. cit.*, p. 319.
[81] *Ibid.*, p. 319.

. . . so he dies
But soon revives, Death over him no power
Shall long usurp; ere the third dawning light
Return, the Stars of Morn shall see him rise
Out of his grave, fresh as the dawning light.
(*PL*, XII, 419—423)
Then to the Heav'n of Heav'ns he shall ascend
With victory. (*PL*, 451—452)

The enter into glory, and resume
His seat at God's right hand, exalted high
Above all names in Heav'n. (*PL*, 456—458)

The satisfaction of Christ is the complete reparation made by him in his twofold capacity of God and Man, by the fullment of the law, and payment of the required price for all mankind[82].

. . . nor can this be,
But by fulfilling that which thou didst want,
Obedience to the law of God, impos'd
On penalty of death. (*PL*, XII, 395—398)

Die hee or Justice must; unless for him
Some other able, and as willing, pay
The rigid satisfaction. (*PL*, III, 210—212)

Christ fulfilled the law by perfect love of God and his neighbor, until the time when he laid down his life for his brethren, being made obedient to his Father in all things[83].

The Law of God exact he shall fulfill
Both by obedience and by love, though love
Alone fulfill the law. (*PL*, XII, 402—404)

Milton's doctrine of predestination that there is neither particular predestination nor any preterition of man by God from all eternity, nor any reprobation of individuals from all eternity, but all included in eternal salvation, and all who strive to the end obtain salvation[81], is interpreted literally in the words,

All hast thou spok'n as my thoughts are, all
As my eternal purpose hath decreed.
Man shall not quite be lost, but sav'd who will;
Yet not of will in him, but grace in me
Freely vouchsaf'd. Once more I will renew

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[82] *Ibid.*, p. 322.
[83] Milton, *op. cit.*, p. 322.
[84] Milton, *op. cit.*, chap. iv.

His lapsed powers, though forfeit, and enthrall'd
By sin to foul exorbitant desires:
Upheld by me, yet once more he shall stand
On even ground against his mortal foe —
By me upheld, that he may know how frail
His fall'n condition is, and to me owe
All his deliv'rance, and to none but me.
Some I have chosen of peculiar grace,
Elect above the rest; so is my will:
The rest shall hear me call, and oft be warn'd
Thir sinful state, and to appease betimes
Th'incensed Deity while offer'd grace
Invites; for I will clear thir senses dark,
What may suffice, and soft'n stony hearts
To pray, repent, and bring obedience due.
To Prayer, repentence, and obedience due,
Though but endeavour'd with sincere intent,
Mine ear shall not be slow, mine eye not shut.
(*PL*, III, 171—193)

God made thee perfect, not immutable;
And good he made thee, but to persevere
He left it in thy power, ordain'd thy will
By nature free, not over-rul'd by Fate
Inextricable, or strict necessity;
Our voluntary service he requires,
Not our necessitated, such with him
Finds no acceptance, nor can find, for how
Can hearts, not free, be tri'd whether they serve
Willing or no, who will but what they must
By destiny, and can no other choose?
(*PL*, V, 524—534)

The second object of the ministry of the Mediator is our conformation by which we may be conformed to the image of Christ, that is, we are made partakers of Christ and become one with him[85].

. . . thy merit
Imputed shall absolve them who renounce
Thir own both righteous and unrighteous deeds,
And live in thee transplanted, and from thee
Receive new life. (*PL*, III, 290—294)

But our conformity to the image of Christ adds as little to the perfect and full satisfaction made by him, as our works do to faith. Hence we are justified by faith without works of the law, but not without works of faith; inasmuch as living and true faith cannot exist without works, though these latter may differ from the works of the written law[86].

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[85] Milton, *op. cit.*, p. 328.

> Proclaiming Life to all who shall believe
> In his redemption, and that his obedience
> Imputed becomes theirs by Faith, his merits
> To save them, not thir own, though legal works.
> (*PL*, XII, 407—410)
> . . . and refin'd
> By Faith and faithful works. (*PL*, XI,—63—64)

The soteriological concepts in both epics fall into the following categories: the act of Redemption itself, the promise thereof, the nature of the Redeemer, the mediatorial office of the Redeemer, the essential act of Redemption concentrated in the humiliation of Christ, the fruits of the Redemption in the person of the Mediator, the satisfaction made in the Redemption and predestination in relation to the soteriological plan. One gathers immediately that we have an extensive survey of all that concerns Christian soteriology. It is as eclectic in theological concept as it is in poetic expression. There is no unified progression nor is there constancy of orientation. At time, it is Arian, Lutheran, Calvinistic, Arminian, Socinian, and Anglican. Consequently, an analysis of the soteriological elements in the epics reveals for the reader several points of theological orientation, including orthodox Catholic opinion. It is the *De Doctrina Christiana* that provides us with the key to the personal theological outlook of Milton, and an analysis of the treatise and the epics reveal close relationship between the two. In the epics, Milton represents faithfully the concept of Soteriology as formulated in the treatise. One might even venture that both epics could furnish data for a reconstruction of the content of the *De Doctrina Christiana* if its soteriological chapters came to be lost.

CONCLUSION

We have seen, then, that Soteriology is the theology of the work of Christ as Redeemer, studied in his life, passion, and death and in His intercession at the right hand of the Father in Heaven. The Thomistic school teaches that the injury done to God's honor is measured by His infinite dignity, and in this sense, the evil of the sin is infinite, consequently requiring an infinite being for the process of satisfaction. Thus, there was no other means of redemption besides the incarnation of God's

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[86] *Ibid.*, p. 374.

Own Son. Christ, then, who is both God and man, united in Himself the offended Godhead and human nature gone astray, and during the whole time of His existence contributed to the atonement of man's sins. The Council of Trent attaches the note of *De Fide* to this teaching and concluded that Christ is the meritorious cause of our justification; and that He merited for us by His most holy passion on the wood of the cross, that we are justified by the merits of the one Mediator, and that all those are anathema who say that men are justified without the justice of Christ by which He merited our justification.

During the Reformation, the doctrine found new interpretations which demanded strictures and condemnations on the part of Catholic theologians. For Luther, the redemption was an incomplete act in that the merits of Christ covered the sins of man, and God refused to look at them, but the sins still remained. Calvin and his followers, on the other hand, recognized the effects of Christ's redemptive work only in the light of a strict decree on the part of God predetermining man to salvation or condemnation. The later theological systems of the seventeenth century are in one way or another ramifications of the teachings of the sixteenth century Reformers. The Socinians, Arminians, and Anglicans held that justification is a judical act whereby God releases the sinner from the merited punishment, but it is not an inward newness. Good works are only the fruits of faith, and Christ is merely an example.

Milton's errors can be said to be more Christological than Soteriological. Redemption for him was the act whereby Christ was sent to redeem mankind at the price of His own blood. The sacrifice was strictly vicarious, and not only was man redeemed, but a real price "life for life" was paid for his redemption. Like Ochino and Socinus, he admits of subordination in the Trinity and is Arian in his concept of inferiority of the Son to the Father. Justification, like the Arminians, comes from faith alone, apart from works; the works will follow as an expression of our faith in Christ.

Milton's theological beliefs influenced greatly his *Paradise Lost* and *Paradise Regained*. In the epics as in the treatise, the sacrifice of Christ was strictly vicarious and man was redeemed by Christ's blood. Also the anti-Trinitarian bias is evident. The Father stands supreme and the Son always appears as subordinate. Behind the actions of the Son are His mediatorial functions of priest, prophet, and king, which are gifts that He received from God the Father. The principles of Christ's exaltation, satisfaction, and our conformity are also found paralleled in the *Paradise Lost.*

The purpose of this investigation has been to present the erro-neous Reformation and seventeenth century concept of Soteriology not for the purpose of establishing what may strictly be called indebtedness, but rather to suggest that the doctrines of certain Re-naissance theologians underlie and support Milton's view of this theory. Then I have made an investigation of Milton's doctrine of Soteriology, qua Soteriology, and the evidence of it found in *Paradise Lost* and *Paradise Regained.* This evidence shows the intimate relationship that exists between the treatise and the epics concerning this problem of Soteriology. From the evidence presented in these latter two chapters, it seems obvious that we are dealing with a fundamental corpus of belief presented in two different and distinctive manners. Yet, the purpose of this study has not been to prove that this difference in merely the difference between poetry and prose. The *De Doctrina Christiana* presents a systematic body of belief or theology but the *Paradise Lost* and *Paradise Regained* presents this same body of belief in a blank verse epic, and the principles that govern this poetic presentation are those of the great epic tradition as they were modified by Milton's aesthetic judgment. It must be noted that I do not argue for the absolute identity or sameness of the two works. I merely contend that the evidence indicates the works to be two expressions of a single body of religious belief, and this particular doctrine of Soteriology is consistent in both the treatise and the epics.

For Milton, the *De Doctrina Christiana* was his "best and richest possession". For us it is a document important in the study of what we consider Milton's greatest literary achievements. It is the catalytic agent through which Milton fused a great portion of the material that comprises the artistic synthesis which we call *Paradise Lost* and *Paradise Regained.*

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EDITION OF DISTINCTIONS XXVI AND XXVII OF *ANONYMOUS BRUSSELS BIBLIOTHEQUE ROYALE 1542*

The present codex has occasioned several studies during more recent years[1]. Recently we have had the opportunity to draw attention to its anonymity[2], it having previously been considered part of the literary legacy of Odo Rigaud[3]. E. Lio, quite recently added further by way of corroboration to this conclusion[4], namely that it did not come from the pen of Rigaud, and until now remains anonymous. This applies, of course, only to Book IV of the codex, viz. ff. 179a—252d. According to Fr. Henquinet, the other books, while authentic, have been adulterated[5], doubtlessly by the scribe-compilator of Book IV.

To hazard a conjecture as to the paternity of *Brussels, Bibliothèque Royale 1542*, ff. 179a—252d, would, we are convinced, be foolhardy. Though singularly coherent and consistent throughout dists. XXVI and XXVII, which are being edited here, elsewhere it makes so many sporadic incursions into the literary treasures of Alexander of Hales, William of Melitona and others[6], that its author can easily be put down to no particular note. What seems sure, though, is this, that it was compiled in round numbers about 1250. Elsewhere we have indicated our reasons for settling on this date[7].

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[1] Cf. F. M. Henquinet, "Les manuscrits et l'influence des écrits théologiques d'Eudes Rigaud," in *Rech. de Théol. Anc. et Méd.* 11 (1939) 324 ff.; and "Le Commentaire d'Eudes Rigaud, O. F. M. sur le IV^{me} Livre des Sentences," in *Collectanea Franciscana*, X (1940) 481 ff.; V. Doucet, *Prolegomena in librum . . . Summae Fratris Alexandri*, (Quaracchi, 1948), pp. 228.

[2] Kilian F. Lynch, O. F. M., "The Alleged Fourth Book of the Sentences of Odo Rigaud and Related Documents," in *Franciscan Studies*, 9 (1949) 87 ff.

[3] F. M. Henquinet, "Les manuscrits," and "Le Commentaire," *passim*.

[4] "Nuove fonti domenicane nei Commentarii dello Pseudo-Oddone Rigaldi al IV° libro delle Sentenze," in *Franziskanische Studien*, 1951, pp. 385 ff.

[5] "Le Commentaire," p. 488 ff.

[6] Cf. Lynch, "The Alleged Fourth Book of Odo Rigaud," *loc. cit.*, p. 93, "Tabula concordantiae."; Lio, "Nuove fonti domenicane," *loc. cit.*, p. 388 and *passim*. Fr. Lio does not show any direct dependence on Guerricus on the part of Brussels: hence the compiler of Brussels in the passages cited did not depend on Guerricus, but on *Troyes Bibl. Comm. 1862*.

[7] "The Alleged Fourth Book of Odo Rigaud," *loc. cit.*, p. 138. The catalogue assignes this codex to the middle fourteenth century. This may be discounted though, since the handwriting as well as the other arguments favor a century earlier.

As to the affiliation of the author, the fact that he leans so heavily on William of Melitona and Alexander of Hales, and quite evidently in this Book purportly supplies a completion to the unfinished Commentary of Rigaud[8], leads one to believe that he was a Franciscan[9]. Supposing him to choose this course of action if he were not a Franciscan, would demand a more obvious explanation.

Since *Brussels Bibl. Royale 1542*, ff. 179a—252d is a compilation, we must distinguish between the compiler and the author whose writing we are studying. The text edited here would not seem by any means to belong to the compiler, but to an author of note and originality, who too remains anonymous and about whose affiliation we can say nothing.

The present two distinctions are being edited because of their doctrinal richness respecting the history of the sacrament of matrimony. This manifests itself specifically with respect to the nature of the contract in matrimony, the institution of the sacrament, the positive efficacy of the sacrament with respect to grace, the nature of that grace and sacramental grace in general, and the signification of the sacrament. All this presupposes a font different than any of those detected so far who supplied the material for this part of the codex. Though this font remains unknown, the early date to which this codex may be assigned assures it not being overlooked in the history of the sacrament.

With respect to the text itself, the various erasures and additions on the margin show that it is being copied. The presence of another example of the same codex would no doubt have improved our edition; as it is, however, it is coherent and readable, and as such merits being presented.

DISTINCTIO XXVI

F 221*va* *Cum alia sacramenta post peccatum*[1] etc. Habito de illo sacramento quod pertinet ad eos qui sunt capita spiritualiter in Ecclesia, scil. de ordine, continuo hic aggreditur Magister[a] agere de sacramento pertinente ad eos qui sunt in Ecclesia capita aliorum secundum carnem, scilicet

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[8] Cf. Lynch, "The Alleged Fourth Book of Odo Rigaud," pp. 139 ff.; E. Lio, "Nuove fonti domenicane," *loc. cit.*, where the import of his arguments show that neither of the former aspirants to being the fourth book of Rigaud qualify for this distinction.

[9] Cf. Lio, *op. cit.*, p. 419.

[1] De hac materia cf. *IV Sent. Petri Lombardi, ed.* Quaracchi, II, p. 912 sqq.

a. Magister *add. et expung.* hic.

de sacramento matrimonii, primo in generali, secundo in speciali, ibidem, *Cum igitur coniugium sacramentum sit*, etc.

Quantum ad primum primo docet breviter veritatem, secundo describit errorem, ibi, fuerunt autem nonnulli haeretici. In prima parte primo assignat multiplicem institutionem sacramenti coniugii, secundo ponit differentiam inter illos institutiones, ibi, prima institutio habuit praeceptum, *Cum igitur* etc. Haec pars divitur quia primo agit de sacramento matrimonii in quantum sacramentum, secundo in quantum coniugium, Dist. XXVII. *Post advertendum quid sit coniugium*, etc. Subdivisio partium lectori relinquitur.

Quantum ad istam distinctionem quantum ad tria quaeritur de sacramento matrimonii, primum est de sacramento matrimonii in quantum est matrimonium; secundo, de ipso in quantum sacramentum; tertio, quaeritur de ipso quantum ad institutionem ipsius.

Quantum ad primum quaeruntur tria. Primum est utrum quantum ad generationem vel procreationem prolis debite sit necessarium matrimonium, sive vinculum inseparabile inter virum et feminam, et hoc vel unius ad unam vel unius ad plures? Secunda quaestio est utrum sit determinate unius ad unum? Sed hoc habet postea proprium locum. Propter hoc sciendum est utrum sit necessarium quantum ad omnes, scilicet utrum omnes teneantur ad illud tantum cum utrumque sit utile vel expediens *(mutil.)*, vel non?

Quantum ad primum, videtur quod sine matrimonio possit sine peccato proles procreari vel mulier a viro cognosci.

Nullum opus regulatum a lege aliqua laudabili subiacet calumniae vel reprehensione; virum cognoscere mulierem est huiusmodi, quia secundum legem naturae factum. Unde in Decretis, Dist. I, "Ius naturale est commune omnium nationum eo quod ubique instinctu naturae non constitutione habetur aliqua, ut viri et feminae coniunctio[2]." Ergo sine omni alio non potest reprehendi. Ergo non exigitur matrimonium.

Secundo, nullum opus transiens super naturam debitam habet calumniam vel reprehensionem, ut dare eleemosynam pauperi, virum cognoscere mulierem, et huiusmodi, quia secundum naturam hic est agens, illa vero ut materia vel patiens. Ergo, nullo alio addito omni reprehensione caret iste actus. Ergo, non exigitur matrimonium.

Item, quia actus nutritivae non est alligatus alicui cibo, unde nutritiva non determinat sibi materiam; sed qua ratione super istum cibum, possit transire suus actus, sic super quemlibet. Ergo, a simili et actus generativae non debet determinare materiam vel personam. Ergo, qua ratione suam potest cognoscere, eadem potest non suam, et qua ratione unam ita aliam potest cognoscere, et omnes indifferenter, et sic non exigerit matrimonium ad hoc.

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[2] *Decret. Grat.* Dist. I, c. VII (*ed.* Friedberg I, 2).

Contra. Si iste posset cognoscere aliquam non suam, qua ratione posset istam cognoscere et quamlibet posset, et si sic confunderetur ordo generationis humanae, et nesciret quisquis esset pater eius, nec pater sciret quis esset eius filius. Ergo, in rebus humanis non servaretur iusta transitio haereditatis, et periret etiam dilectio filii ad patrem et patris ad prolem. Contingeret etiam ex hoc quod homines se invicem interficerent et bellarent propter mulieres, quia quilibet diceret quamlibet esse suam, et sic periret ordo et iustitia in humano genere. Ergo, necessarium est matrimonium ut sit ordo et iustitia huiusmodi servata. Oportet igitur quod sit vinculum inseparabile inter virum et mulierem vel mulieres, ita quod non sit ei indifferens cognoscere omnes, sed oportet quod aliqua vel aliquis[b] determinate.

Secundo, quia in natura est determinatio in patientibus, sicut in agentibus. Unde sicut agentia non sunt confusa ad invicem sed distincta, sic et patientia illis agentibus respondentia in quantum huiusmodi distincta sunt. Ergo, et non sunt omnia patientia respectu cuiuslibet agentis. Sed haec patientia vel illa respondent et determinata sunt illi agenti et haec illi. Ergo, similiter, cum ratio immitetur dictamen naturae, debet esse in genere humano sive inter virum et mulierem, cum vir sit sicut agens et mulier sicut patiens, quod sicut unus vir ab alio distinguitur et non est alterius, similiter et mulier una vel plures sint determinate istius, ita quod non alterius. Sed in natura ita est quod natura in quantum natura invincibiliter et in perpetuum se habet ad id ad quod est. Ergo, et similiter in coniunctione quae est in matrimonio se debet habere vir, id est agens, inseparabiliter ad patiens vel ad mulierem, vel ad mulieres sibi determinatas. Et ita inseparabile vinculum debet esse unius ad unam vel ad plures determinate, et ita matrimonii vinculum debet praecedere copulam carnalem viri et mulieris.

Tertio, quia effectus perfectio dependet[c] a perfectione causae immediate; sed in prole est inseparabilitas seminum viri et mulieris ergo et in viro et mulieri debet esse inseparabilitas. Sed non potest esse secundum substantias suas per naturam. Ergo, oportet quod sit eo modo quo potest esse, et debet suppleri a ratione quod natura non facit. Ergo, ratio debet

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b. aliquis *add. et expung.* in.
c. dependet *add. et delet.* dependet.

inter eos ponere inseparabilitatem. Sed hoc est per consensum matrimonialem. Ergo, etc.

Respondeo. Credo quod vinculum matrimoniale inseparabile debet esse in illo actu viri ad mulierem et hoc unius ad unam vel ad plures, et hoc est tam propter bonum moris, quam propter congruentiam naturae, sicut tactum est in duobus argumentis istis. Quia ratio debet ordinare etiam quae iuxta se sunt, pacem et iustitiam cum illis observando, et quae infra se sunt, secundum dictamen naturale ipsam naturam imitando. Primum non potest esse si unus non determinaret sibi unam vel plures determinate, quia, ut probat primum argumentum, esset confusio et pugna in rebus humanis, et defectus dilectionis debitae. Sed non esset similiter sicut in natura.

Unde agens determinat sibi patiens unum vel plura. Ita natura hominis dictaret et faceret quod unus determinaret sibi inseparabiliter unam vel plures.

Tertia etiam causa vel ratio est quod ratio non solum comparatur ad id quod iuxta vel infra, sed ad id quod supra se est, unde debet ordinare actus suos secundum quod exigit gratia vel divina dispositio. Quia igitur in coniunctione viri et mulieris debebat signari coniunctio Verbi et humanae naturae et Christi et Ecclesiae, debuit haec coniunctio, scilicet viri et mulieris, quantum potuit assimilari. Sed illa est inseparabilis. Ergo, et ista debuit fieri inseparabilis ut signum quantum plus posset responderet signato. Quia ergo inseparabilitas non potuit esse per naturam, ratio quae supplet quae natura non potuit, debuit hanc inseparabilitatem facere. Hoc autem non potuit esse nisi per consensum inseparabilem. Ergo, patet quod talis consensus debuit praecedere rectam et debitam copulam viri ad mulierem, sive ad unam sive ad plures.

Quod ergo primo obicitur quod illud opus omne sine matrimonio regulatum est lege naturae, dicatur quod est natura vel lex naturae communis, et de tali loquitur etiam decretum adductum, et hoc regulatur illud opus; et est spiritualis natura, scilicet quae subdita est rationi et secundum ordinem rationis debet agere, et sic est natura in homine, et hoc lege naturaliter se habentis non regulatur huiusmodi opus nisi sit ibi vinculum inseparabile, quia in homine ratio ordinat naturam secundum rationem ad superius et ad suum par et ad suum inferius. Et propter haec tria, ut visum est in rationibus positis in solutione, oportet consensum inseparabilem praecedere actum huiusmodi ad hoc quod debite et irreprehensibiliter exsequatur.

Ad aliud quod actus transiens super debitam materiam est irreprehensibilis, dico quod debita materia appellatur dispositio ad talem actum. Potest ergo esse dispositio mediate, non immediate, et sic est mulier; vel dispositio immediate, et haec dispositio fit per consensum inseparabilem, et talis dispositio requiritur in hoc actu ad hoc quod licite et ut oportet fiat propter rationes praedictas.

Quod tertio obicitur quod actus nutritivae non obligatur, ergo nec generativae, dicatur quod non est simile, primo quia homo secundum actum nutritivae comparatur ei quod simpliciter est sub se et nullo modo par. Secundum actum generativae comparatur ei quod est par vel aequale. Quamvis igitur non obligatur aliquid suo inferiori, decet tamen ipsum obligari pari, et hoc propter rationes dictas.

Secundo, quia corpus humanum est ex omnibus quodamodo, ex eisdem autem nutrimur et sumus, et ideo ex omnibus sibi competentibus debet et potest nutriri, et ideo homo secundum vim nutritivam non alligatur alicui cibo. Sed homo secundum actum generativae non est commune vel utile agens respectu cuiuslibet materiae competentis ad illum actum, sed est spirituale, immo singulare agens, et distinctum, et ideo singularem et distinctum debet sibi determinare in hoc actu materiam, et non generaliter omnem materiam huius actus. Et ideo homo debet determinare et inseparabiliter coniungi et alligari uni mulieri vel pluribus, quamvis non sit alligatus uni cibo vel pluribus, sed generaliter se habet ad omnes.

Circa secundum, videtur quod omnes tenentur ad matrimonium quia praeceptum generale sive generaliter datum, non exprimente datore nec de revocatione facta aliqua mentione, semper et ab omnibus est observandum. Praeceptum de matrimonio est huiusmodi, "Crescite et multiplicamini," etc., Gen. I[3], nec est postmodum ut videtur revocatum. Ergo, etc.

221vb Secundo quia nobilius et magis | necessarium est esse speciei quam individui. Ergo, si quilibet tenetur ad conservationem individui per actum nutritivae, videtur quod fortius teneatur ad conservationem speciei. Sed hoc conservatur per multiplicationem quae fit per actum generativae. Ergo, etc.

Si dicatur quod non est simile quia nullus potest meum individuum sustentare nisi ego appono manum, sed speciem potest alius conservare et multiplicare, et ideo non ita tenetur ad multiplicationem speciei sicut ad conservationem individui, istud nihil est, quia qua ratione ego non tenerer, quia alius potest hoc facere eadem ratione alius non tenetur, quia ego possum vel alius potest. Et sic nullus tenetur, quod falsum sit. Vel[d] oportet quod omnes ad hoc teneantur.

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[3] Gen. I, 28.

Contra. Quod est indulgentiae non est necessitatis. Sed matrimonium est huiusmodi sive praeceptum de matrimonio, I Cor. VII[4], "Dico autem secundum indulgentiam non secundum imperium."

Secundo, quia nihil quod est necessitatis habet consilium in contrarium; actus coniugalis est huiusmodi, I Cor. VII[5], "De virginibus praeceptum non habeo, consilium autem do;" Dominus in Evangelio[6], "Sunt eunuchi qui se castraverunt propter regnum caelorum." Ergo, etc.

Respondeo. Est necessitas duplex, una in generali, et hoc est quando aliquis vel aliqui de omnibus tenentur, et alia in speciali vel singulariter qua quilibet scilicet, in se singulariter tenetur, et omnes et insimul. Est etiam necessitas simpliciter et necessitas quantum ad statum. Dico igitur quod praeceptum de matrimonio est necessitatis in generali, non in singulari, id est, ad quod tota multitudo hominum tenetur propter conservationem speciei, non tamen in singulari, id est, quod quilibet teneatur ad hoc simpliciter, sed ratione status. Nam in statu incipientis naturae et in tempore Noe tenebantur et omnes et singuli propter multitudinem naturae et propter paucitatem singularium. Et in tempore Abrahae omnes et singuli tenebantur, non propter necessitatem naturae sed propter necessitatem cultus divini, quia etsi multi tunc erant, paucissimi tamen erant cultores unius Dei. Similiter et modo tam pauci possent esse homines vel cultores Dei quod quilibet fidelis ad hoc teneretur quantum ad statum. Tamen modernum non tenentur omnes singulariter, sed in generali, unde non singulariter nisi pro statu vel tempore aliquo. Sed in generali fuit datum praeceptum de multiplicatione generis humani.

Quod ergo primo obicitur quod praeceptum generaliter est datum et non revocatum, et cum dicatur quod sicut illud praeceptum fuit necessitatis in generali non in speciali nisi pro statu, sic adhuc non est revocatum, et est necessitatis in generali non in speciali, tamen in speciali, id est quantum ad istum vel ad illum singulariter, bene est revocatum per Dominum in Evangelio vel per Apostolum. Unde est revocatum quantum ad hoc quod dicebatur "Maledicta sterilis", sed non quantum ad hoc quin adhuc generaliter teneatur ad hoc genus humanum.

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[4] I Cor. VII, 6.
[5] I Cor. VII, 25.
[6] Matt. XIX, 12.

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d. vel *marg.*

Ad aliud quod obicitur quod magis tenemur ad conservationem speciei quam individui, dico quod verum est in generali, non tamen iste vel ille, immo iste vel ille[e] magis tenetur conservare individuum, quia in hoc etiam conservat speciem, non autem e contrario. Tamen in generali tenentur aliqui vel aliquis ad conservationem speciei.

Quod obicitur qua ratione non iste singulariter ea ratione nullus, dico quod nullus singulariter modo tenetur, quia multi sunt qui multiplicant, sed si nullus alius vellet multiplicare speciem, quilibet singulariter teneretur.

Ad primum in oppositum dico quod Apostolus dispensat vel dispensationem istius determinat, non respectu status generalis, quia respectu illius semper est praeceptum, sed respectu singularis personae.

Similiter ad aliud, consilium datur in contrarium non quantum ad statum generalem, quia semper ille obligatur ad illud praeceptum, sed quantum ad aliquam personam vel aliquas personas speciales secundum quod dictum est.

Circa tertium videtur quod matrimonium non sit utile vel expediens quia nullus actus contrarius libertati Spiritus et munditiae cordis est utilis; actus coniugalis est huiusmodi, quia ibi fit homo totus caro et quasi absorbetur ratio secundum quod super illud I Cor. VII[7], "Qui fornicatur in corpus suum peccat." In Glossa[8] loquente de actu carnali pro tempore illo dicitur sic: "Totus homo absorbetur a carne ut iam dici non possit ipse animus suus esse sed similis totus homo dici possit caro." Et sic est ille actus contrarius libertati Spiritus, munditiae etiam cordis, qua videtur Deus contrarius, secundum quod infra Dist. XXXII[9], cap. *Illi autem quod dictum est*, etc. In fine dicitur quod tempore illo non dabatur spiritus prophetiae.

Item, quod maxime deicit animam ex sublimo statu non est utile sed potius nocivum. Actus coniugalis est huiusmodi; Augustinus in primo *Soliliquorum*[10], "Nihil esse sentio quod magis ex arce deiciat animum virilem quam blandimenta feminea corporumque ille contactus sine quo uxor haberi non potest."

Item, non est utile quod non pertinet ad officium sapientis. Sed actus ille est huiusmodi, sicut videtur velle Augustinus ibidem. "Itaque,

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[7] I Cor. VI, 18.

[8] *Biblia sacra cum glossa ordinaria* (Antverpiae, 1617), VI, p. 542.

[9] Lombardus, *IV Sent.*, Dist. XXXII (*ed.* Quaracchi, II, p. 946).

[10] *Soliloquorum*, 1. II, c. 10 (*PL* 32, 878).

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e. immo iste vel ille *marg.*

si ad officium pertinet sapientis, quod nondum comperi dare operam liberis[11]" etc.

Item, ibidem subiungitur, *auferri pudorem in mente*, "quisquis huius rei tantum gratia scilicet dandi operam liberis concumbit, mirandus mihi videri potest, atvero imitandus nullo modo, nam temptare hoc periculosius est quam posse felicius, sed in quo non est aliquis imitandus[12];" vel ubi plus de periculo est quam de bono non est utile. Ergo, etc.

Secundo, quia id ad quod de necessitate sequitur peccatum mortale non est utile sed nocivum. Actus ille quando est ibi procreatio prolis, et tunc ille est actus perfectior quam alias, est huiusmodi, quia originale sequitur in prole. Hoc est argumentum haeretici Iuliani ad Augustinum.

22ra | Tertio, est quia ubi excellentior et nobilior status amittitur non est utile vel expediens sed potius nocivum. Consummatum matrimonium est huiusmodi, quia ibi amittitur virginitas. Ergo, etc.

Contra. Ad hoc est exemplum Domini, quia Dominus non interesset nisi bono. Sed interfuit nuptiis, Ioh. II[13].

Item, Apostolus dicit quod "melius est nubere quam uri"[14]. Ergo, est bonum.

Item, super illud I Tim. II[15], "Salvabitur per filiorum generationem," dicit Glossa[16], augmentum salutis, filiorum generatio; sed quod facit ad augmentum salutis est utile.

Secundo, quia omnis observantia praecepti divini est utilis et expediens ad salutem; coniunctio matrimonialis est huiusmodi, quia Deus praecepit "Crescite et multiplicamini"[17], etc.

Respondeo. Concedo quod matrimonium est utile et bonum simpliciter, est et sanctum. Primo, quia est iuxta legem et ordinationem naturae. Sexus enim ad hoc est ordinatus ut per consensum inseparabilem praecedentem possit fieri maris et feminae legitima coniunctio. Secundo, quia est contra legem concupiscentiae. Ibi enim datur gratia qua et actus informetur, quae alias esset peccatum, et minor concupiscentiae ardor est in illo actu et in minori corruptione prolis generatio, quia est ad conservationem speciei et multiplicationem individui, secundum dictum praeceptum.

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[11] *Ibid.*

[12] *Ibid.*

[13] Joh. II, 1. sqq.

[14] I Cor. VII, 9.

[15] I Tim. II, 15.

[16] *Glossa, ed. cit.* VI, p. 700.

[17] Gen. I, 28.

Quod ergo primo obicitur in contrarium huius quod actus ille contrariatur libertati speciei etc., dicendum quod hoc non est ratione matrimonii, immo potius matrimonium ei contrariatur, sed ratione corruptionis concupiscentiae carnis quae sequitur ex peccato. Unde, cum in primo statu non esset hoc, ubi poterat esse matrimonium, patet quod hoc facit ipsum matrimonium. Per hoc potest responderi ad auctoritatem Augustini in Soliloquis[18], quia non loquitur de matrimonio causaliter propter ipsum matrimonium, sed propter corruptionem annexam illi actui quae ex matrimonio non est, sicut iam dictum est.

Ad aliud dicatur quod hoc non est ratione matrimonii, quia hoc non esset in primo statu, sed ratione corruptionis naturae non personae illius qui contrahit, quia persona non corrumpit personam sed naturam. Sed natura corrupta corrumpit personam. Et quia matrimonium respicit personam non naturam, quia consensus talis est personae ad personam, et illa corruptio provenit ex natura, patet quod propter illud peccatum, quod non sequitur ex matrimonio sed ex corruptione naturae, non est dicendum matrimonium malum sed potius bonum, cum illi corruptioni quantum potest obsistat.

Ad ultimum dicendum est quod non emittitur ibi virginitas sed commutatur in aliud bonum.

Quod si tu obicis quod fit ibi commutatio cum detrimento, respondeo quod virgo potest contrahere matrimonium tripliciter sive triplici ex causa, vel si propter necessitatem naturae, vel fidei, ut scilicet si esset in tali statu in quo vel necesse esset multiplicari homines, vel ad minus fideles; vel ad evitandum periculum fornicationis, ut si cognosceret infirmitatem suam ex fragilitate carnis, et probabiliter praesumpserit se de facile cadere vel in proximo nisi nuberet; vel ad satiendum libidinem. Primo modo mutaretur status virginitatis in melius propter necessitatem, scilicet talis status. Secundo modo, etsi in minus bonum, tamen propter hoc non sequeretur quod matrimonium esset malum. Immo potius bonum iuxta verbum Apostoli, "Melius est nubere quam uri". Tertio modo mutaretur in peccatum veniale vel mortale. Sed hoc non esset ex parte matrimonii, sed propter perversitatem voluntatis contrahentis, et sic patet quod matrimonium est bonum.

Quantum ad secundum principale quaeruntur duo, primo, utrum sit sacramentum; secundo, cuius legis sit sacramentum?

Ad primum, ibi non est invisibilis gratiae visibilis forma.

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[18] Cf. supra n. 10.

Secundo, quia sicut contingit esse deordinationem in actu generativae ita et nutritivae. Ergo, sicut non est sacramentum circa actum nutritivae, ita nec circa actum generativae. Sed matrimonium est circa illam; ergo, non est sacramentum.

Tertio, quia per quod peccat quis per hoc et torquetur. Ergo, cum homo primo per actum nutritivae transgressus fuerit, ibi debuit maxime esse corruptio, et per consequens medicina quae est per sacramentum. Ergo, si respectu illius non est sacramentum, nec respectu actus generativae per quam primo non peccavit.

Si dicatur quod licet homo secundum actum nutritivae transgressus fuerit, quia tamen peccavit in quantum fuit principium aliorum hominum, et hoc non erat secundum actum nutritivae, quod erat ad conservationem individui, sed secundum actum generativae secundum quem debebat esse principium omnium, quia generativa est ad conservationem speciei, et ideo secundum actum illius debuit plus puniri et corrumpi, et propter hoc magis contra actum illius est sacramentum institutum, istud nihil est, quia nutritiva ordinatur ad generativam, et praecedit actus nutritivae actum generativae. Ergo, corruptio actus nutritivae debuit praecedere corruptionem generativae, et per illam debuit transire corruptio ad generativam. Ergo, et primo sic debet esse sacramentum contra corruptionem nutritivae; ergo, si non est, non debet esse contra corruptionem generativae.

Contra: Primo per auctoritates in littera[19].

Secundo, quia si sacramentum est rei sacrae signum, vel signum visibile gratiae invisibilis dicitur sacramentum, cum in ipso signetur maxima gratiarum, scilicet Christi Incarnatio, maxime dicitur sacramentum.

Tertio, quia omnis actus corporalis quo fit ut non sit peccatum quod alias peccatum esset est sacramentum. Matrimonium est huiusmodi. Probatio minoris: Quia nullum corporum per se potest facere quod aliquid non sit peccatum quod alias esset. Ergo, si hoc facit, oportet quod hoc fit per aliquam virtutem invisibilem quam habet; et cum sit iam ibi signum sensibile et virtus invisibilis, ergo est ibi tota essentia sacramenti. Ergo, etc.

Quod concedimus[e].

Ad illud quod fortius argumentum a mari, dico quod rationale est dupliciter, per se, et per accidens. Per se dupliciter, scilicet essentialiter

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[19] Confertur Lombardus, *IV Sent.*, Dist. XXVI, cap. VI (*ed. cit*, II, p. 914).

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e. immo iste vel ille *marg.*

et sic vis rationabilis et ut obediens rationi, et sic irascibilis et concupiscibilis. Per accidens vero generativa et nutritiva rationalia, non 222rb quoniam obediant vel habilitant ordinem | ad rationabilem, sed reguntur a ratione quantum potest ratio, et hoc quantum ad praeventionem actuum illorum, quia quantum ad suos actus proprios nihil potest ratio super eas. Sed tamen potest actus earum praevenire, quia si recipitur cibus non potest facere ratio quin delectetur sensibilis vel opereretur nutritiva, et similiter de generativa. Sed tamen ratio per abstinentiam et continentiam potest earum actus praevenire. Unde non regit eas ratio sicut irascibile et concupiscibile, quae in suis actibus obediunt rationi et sequuntur inclinationem rationis. Non enim obediunt rectae rationi in actibus suis sed dicitur eas rationabilis regere solummodo illarum actus praeveniendo. Dico ergo quod ratio potest istas vires considerare, scilicet nutritivam et generativam, in eodem individuo prout est unum individuum in se, et sic nutritiva propinquior est ei ut praecedat ratio; vel prout huiusmodi individuum est principium alterius, et quia est principium generativae, ideo secundum hoc ratio prius respicit generativam in isto quam nutritivam. Quod si obiciatur quod nutritiva ministrat materiam generativae secundum quod est principium alterius, et ita etiam secundum hunc respectum prius respicit ratio nutritivam ut ministrantem generativae, bene obicieret si nutritiva ministraret semen in ratione seminis ipsi generativae. Non sic est, sed solum materiale est, nec rationem habet seminis cum ministratur a nutritiva. In generativa vero accipit vim seminitivam et principium alterius. Secundum hoc ergo quod ratio est in isto individuo, ut est principium alterius per generationem, principalius respicit generativam quam nutritivam. Et ita potius secundum hoc magis est rationalis ipsa generativa quam nutritiva, et ideo potius secundum hoc gratia sacramentalis, quae respicit corruptionem naturae generaliter, non proprie in isto individuo, posita est ad ordinem generativae quam nutritivae.

Praeterea, quare contra actum generativae non solum est sacramentum ad ordinationem illum actum, sed et virtus, scilicet continentia vel castitas?

Respondeo. Hanc ponimus differentiam inter gratiam ut gratiam et gratiam virtutum et gratiam ut est sacramentalis, quod gratia ut est gratia et virtutum respicit semper individuum in persona, unde etsi dicatur perfectio naturae, hoc est semper personae in natura. Gratia vero sacramentalis, non in quantum gratia sed in quantum sacramentalis, respicit non personam, nec personam non etiam in natura, sed naturam, sive naturam in persona. Unde semper respicit corruptionem naturae in persona ista. Quia igitur vis nutritiva est proprie personae, nec respicit[f] naturam in persona, sed personam primo in natura, quia secundum istam non est homo principium alterius, quia proprium est naturae ut natura est esse principium alterius in natura; vis autem generativa respicit naturam et naturam in persona, quia per illam est homo principium alterius. Ideo patet quod gratia in virtutibus bene potest respondere actui nutritivae, non autem gratia sacramentalis ut est sacramentalis; et ideo illi assignatur virtus, non autem sacramentum. Virtuti autem generativae assignatur sacramentum.

Circa secundum videtur quod non sit sacramentum Novae Legis.

Primo, quia non contulit gratiam, quia si contineret, maxime in actu coniugali illius effectum ostenderet. Sed non ostendit, quia ibi maxime fit homo totus caro, ut habitum est supra per auctoritates.

Secundo, quia institutio est de esse sacramenti, maxime Novae Legis, secundum definitionem Hugonis. Sed institutio huius non est in Nova Lege, sed in statu naturae; ergo potius est sacramentum Legis Veteris, non Legis Novae.

Contra. Hoc sacramentum est signum maxime amoris fidei et animae rationalis, vel Christi et Ecclesiae, vel Verbi et humanae naturae; ergo maxime debet esse sacramentum legis amoris. Sed Nova Lex est lex amoris.

Secundo, quia signum immediatum et proprium et signatum sunt eiusdem legis vel temporis. Sed principale signatum matrimonii, quod est coniunctio divinae naturae et humanae est proprium Novae Legi, et in hoc tempore exhibitum et praesens. Ergo, et ipsum matrimonium debet esse signum et ita sacramentum huius legis.

Iuxta hoc est quaestio, cum fuerit matrimonium sacramentum Legis Naturae et Legis Scriptae et sit sacramentum Legis Novae, qualiter dicuntur differenter?

Respondeo. Est sacramentum Novae Legis. Ad quod notandum est quod sacramentum matrimonii est sacramentum unionis. Est autem triplex ibi unio, scil. una quantum ad consensum animorum, alia quantum ad coniunctionem corporum, tertia quantum ad conformitatem morum. Prima est amoris et caritatis; alia est in opere carnali, scilicet in coniunctione carnis cum carne; tertia est in cohabitatione et conversatione quantum ad opera exteriora. Quantum ad unionem quae fit per amorem et amorem et caritatem principaliter est sacramentum legis caritatis et amoris, scilicet Novae Legis; quantum ad unionem corporum in actu carnali est sacramentum illius temporis ubi debuit esse multiplicatio hominum, vel propter necessitatem naturae ut in statu legis naturalis, vel ubi est multiplicatio propter necessitatem fidei ut fuit principaliter in lege scripta et in tempore praeparante ad illam, ut in tempore Abrahae, in quo Dominus iam disponebat eos ad legem suscipiendam, ut per circumcisionem. Quantum ad unionem in moribus non fuit sacramentum per se alicuius temporis distincte, quia haec unio respicit quemlibet statum et quodlibet tempus. Semper enim debet esse haec conformitas inter coniuges tam Evangelio quam ante. Unde I Pet. III[20] ad institutionem coniugum sub Evangelio in exemplo ponuntur mores coniugum sub lege naturali. Unde dicitur ibi de Sarra quod vocabat Abraham dominum suum.

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[f] personam in *add. et delet.*

Quod ergo primo obicitur quod ibi non continetur gratia, dico quod duplex est usus gratiae ibi, unus in bonum, scil. ad copulandum per caritatem, et alius contra malum; et hoc est duplex, unus respectu actus illius, alius respectu prolis; respectu actus est, quia gratia facit ibi quod actus qui alias esset peccatum non sit peccatum; respectu prolis, quia gratia ibi facit quod prolis non sit concepta vel generata in tanta libidine in quanta esset si non fuisset ibi thorus coniugalis.

Quod obicitur primo quod non est institutum in Nova Lege, dicatur quod etsi prius fuit institutum, scilicet in Lege Vetere, tamen aliquid fuit additum in Nova Lege, ratione cuius intelligitur etiam sua institutio esse de Nova Lege, quia modo requiritur ex institutione sacramenti quod sit expressus consensus in matrimonium, scilicet, "Accipio te in meum," etc., vel aliquid aequivalens fiat, et sunt ibi etiam quaedam solemnitates additae quamvis illae non sint de essentia matrimonii. In tempore vero ante evangelium non exigebatur ita expressus consensus, sed sufficiebat vel signum alicuius actus, vel traductio in thorum, vel sola traditio parentum, vel aliquid huiusmodi, quod non erat ibi expressum nec ita solemne sicut et nunc.

Quantum ad tertium principale quaeruntur tria: primum est quando matrimonium fuit institutum, scilicet utrum in statu innocentiae; supposito quod sic, quaeritur secundo utrum fuit tunc institutum in quantum sacramentum; tertio, quaeritur ad quid tunc fuit institutum, utrum scilicet ad signandum spiritualem coniunctionem Christi sive Dei et Ecclesiae, vel animae, sive spiritualem consensum animorum, an ad signandum illam personalem unionem, id est divinae naturae et humanae in persona una?

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[20] I Pet. III, 6 sqq.

Circa primum, quod sic, sunt in littera auctoritates[21].

Secundo, videtur idem quia posterius ponit prius. Sed in illo statu erat multiplicandum genus humanum per carnalem copulam. Ergo, cum hoc sequatur ad matrimonium, videtur quod tunc instituendum erat.

Contra. Primo per auctoritatem Damasceni[22], Lib. II, cap. ult., "Sciens praecognitor Deus quod in transgressione fieret vel sub corruptione caderet, fecit ex ipso feminam auxiliatricem ipsi. Secundum ipsam auxiliatricem aut ad eam quae per genus, id est per generationem, post transgressionem generis ex successione consistentiam." Ex hoc videtur quod nec femina nec generatio esset nisi deberet sequi peccatum. Ergo, si alia sacramenta quae instituta sunt propter peccatum tunc non fuerunt instituta, videtur quod nec matrimonium.

Respondeo. Matrimonium fuit institutum in primo statu innocentiae iuxta quod Dominus in Evangelio, "Ab initio non fuit sic[23]," et infra, "Quos ergo Deus coniunxit homo non separet[24];" et triplex potest esse ratio, una scilicet propter cultum divinum. Cum enim homo factus sit ut Deum coleret, et colendo Ipsum habere et possidere et Ipsum frui mereretur, non decuit ut genus humanum in tam parvo numero remaneret, et ideo debuit per generationem multiplicari, et ad generationem honestam quae alia non potuit esse in primo statu (qui) antecedit matrimonium.

Alia ratio fuit quae tangitur ab aliquibus cum assignant numerum electorum. Dicunt enim quod cum species quae est homo multiplicata fuerit omnibus modis quibus potest multiplicari, tunc impletus erit numerus electorum. Iuxta hoc potest dici quod cum homo creatus fuerit multiplicabilis per propagationem in multa individua, oportuit quod hoc fieret secundum exigentiam naturae etiam si stetisset. Et ideo matrimonium institui debet in illo statu.

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[21] Lombardus, *IV Sent.*, Dist. XXVI, cap. I sqq (*ed. cit.* II, p. 912 sqq.).

[22] Legitur *De fide Orthodoxa, l.* II, *c.* 30 (PL 94, 975): Quoniam autem Deus praescientia sua noverit fore ut ille impositam sibi legem violaret atque in corruptionem laberetur, idcirco feminam ipsi similem adiutricemque ex ipso procreavit; adjutricem inquam ut genus humanum per generationem ex successione conservaretur. — Melius *De fide orthodoxa*, Versions of Burgundio and Cerbanus, *edit.* E. M. Buytaert (St. Bonaventure 1955) pp. 162—163.

[23] Matt. XIX, 3—10.

[24] *Ibid.*

Tertia ratio esse potest quia in illo statu genus debuit humanum multiplicari et multiplicatum fuisset. Cum ergo vir mulier de pari se haberent in illo statu, nec unus esset sub altero, quia post peccatum dictum est "sub viri potestate eris, et ipse dominabitur tui[25]," hoc dictum est in poenam quod ante non esset, nec alius eorum haberet potestatem sui sed solum Deus, non potuit se invicem subicere nec potestatem sui in invicem tradere auctoritate propria, sed solum ex divina praecepto et constituto, et quia huiusmodi mutua servitus et potestas exigebatur in matrimonio et in honesta prolis procreatione, ideo oportuit quod Deus eis hoc praeceperet et unum alteri subieceret, vel eos invicem concederet ad hoc quod in illo statu modo debito filios procrearent.

Quos ergo obicitur de Damasceno dicendum est quod Damascenus non ponit totam rationem creationis mulieris. Formata enim fuit mulier *222va* propter multiplicationem hominum, | quod potuit esse vel propter cultum Dei vel propter completionem speciei, vel etiam propter conservationem ipsius speciei, id est, esse ipsius individui in specie, quod in numero servari post peccatum propter corruptionem non possit. Hanc ultimam causam non primas duas tangit Damascenus. Primae autem duae potuerunt esse in primo statu, sed supposito quod matrimonium in illo statu fuisset institutum, et fuit institutum quantum ad maiorem evidentiam si fuit institutum ut sacramentum.

Ad quod sic obicitur quod sacramentum in quantum institutum est ad medicamentum, quod tunc esse non potuit, ergo, etc., respondeo, signum sacrae rei potest accipi quantum ad illum statum de praesenti, vel de futuro. Si de praesenti sic, cum Adam et homines caeteri si fuissent in illo statu, legerent vestigium Dei in creaturis, cognosceret homo tunc et cognovit Adam, quod huiusmodi exterior coniunctio corporum significavit coniunctionem interiorem animorum quae esse debebat, et coniunctionem animae ad Deum, et sic institutum fuit matrimonium ut sacramentum, et data fuit eis[g] spiritualis gratia in contractu ad maiorem unitatem in caritate in invicem et ad Deum.

Si signum gratiae intelligatur de futuro, id est, coniunctionis Dei et humanae naturae et Christi et Ecclesiae quod nondum erat, sic possunt esse tres positiones, qua secundum illos qui ponunt quod Deus ad perfectionem et completionem et consummationem operum suorum incarnatus fuisset, fuisset etiam si homo stetisset, sic ponendum est quod fuit institutum simpliciter ut sacramentum, scilicet in signum illius coniunctionis.

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[25] Gen. III, 16.

g. eis *add. et delet.* potestas.

Secundum illos qui ponunt quod nisi homo peccasset Deus incarnatus non fuisset, unde hoc attribuunt spirituali gratiae redemptionis et reparationis, dicunt quod matrimonium in illo statu non fuisset institutum ut sacramentum nisi secundum quid, scilicet, si homo caderet.

Tertio modo potest dici quod simpliciter fuit institutum ut sacramentum in signum coniunctionis divinae naturae et humanae, quia hoc simpliciter futurum erat, et hoc hominem credo cognovisse, quia ei revelatum fuisse credo.

Quod ergo in contrarium obicitur quod sacramentum institutum est ad medicamentum, dicatur quod possumus loqui de gratia sacramentali proprie vel communiter. Primo modo verum quod gratia sacramentalis et sacramentum est ad aliquam corruptionem removendum a natura informata vel reformanda, et sic non fuisset institutum in primo statu. Secundo modo est sacramentum sacrae rei signum, et signum in quo confertur aliqua gratia vel augmentum gratiae, quamvis non contra corruptionem aliquam, et sic potuit esse in primo statu.

Circa tertium secundum illam opinionem quam probabiliorem credimus, quod si homo non stetisset Deus humanam naturam non assumpsisset, non fuisset coniunctio humanae naturae ad divinam, ergo sacramentum illius signum non fuisset et sic non fuit sacramentum institutum ad significandum illam unionem naturarum.

Secundo, videtur quod nec fuit institutum ad significandum spirituale, quia contrarium in quantum contrarium non est signum sui contrarii, et hoc per assimilationem sicut est signum in sacramento. Sed matrimonium quantum ad corruptionem actus, cum sit per conversionem ad inferius, videtur esse contrarium omni spirituali unioni, sive sit Dei vel Christi ad Ecclesiam vel animam, sive sit animorum coniugum in caritate, quia omnis talis unio est per conversionem ad superius, etiam illa quae est consensus animorum, quia ibi non sistitur, sed refertur ad superius et ad Caput, scilicet ad Deum. Ergo, matrimonium in illo statu ad hoc signandum non fuit statutum.

Contra. Eph. V[26], "Hoc sacramentum magnum est, dico autem in Christo et Ecclesia," et loquitur, ut videtur, de homine in primo statu. Ergo, etc.

Respondeo. Matrimonium institutum fuit ad signandum unionem spiritualem, tam illam quam animorum tam quae est Christi vel Dei et Ecclesiae vel animae sanctae, et unionem naturarum in Christo, quia carnalis illa coniunctio exterior potest considerari in se vel per comparationem ad tertium, scilicet ad prolem quae ex hoc procrearetur. Et primo modo est signum coniunctionis spiritualis, quia sicut in spirituali illa coniunctione Deus vel Christus est sicut caput vel regens, anima vero et Ecclesia est sicut corpus, vel de corpore, ita in illa coniunctione carnali est homo sicut caput et regens, mulier autem ut corpus vel de corpore; secundo modo est signum unionis naturarum in Christo, quia sicut in Christo diversae naturae unitae sunt in una, sic in illo actu natura viri et mulieris quae diversae sunt naturae in una persona, scilicet in una prole, uniuntur.

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[26] Eph. V, 32.

Quod ergo primo obicitur quod si homo stetisset, illa unio naturarum in Christo non fuisset, verum est secundum illam opinionem quam credimus esse verum. Tamen praevisum erat quod homo caderet, et ideo ad hanc unionem quae futura erat fuit matrimonium institutum a Deo.

Ad id quod post obicitur quod in coniunctione corporali est conversio ad inferius, etc., dicatur secundum Magistrum[27] in littera quod unio animorum ipsorum coniugum est signum coniunctionis spiritualis, scilicet Dei et animae sanctae vel Christi et Ecclesiae. Coniunctio vero corporum est signum coniunctionis naturarum in Christo, quia illa duo sunt in matrimonio, scilicet consensus animorum et coniunctio corporum, et quantum ad haec duo diversa matrimonium est signum diversarum illarum unionum, scilicet spiritualis quae tunc dicatur solius Dei, vel Christi et Ecclesiae, vel animae sanctae, et alterius coniunctionis in Christo.

Cum alia sacramenta etc. In littera sunt quaestiones, primo de hoc quod dicit in primo capitulo quod matrimonium fuit institutum ante peccatum ad officium, tunc obicitur quia si aliqua alia sacramenta sunt instituta non solum ad remedium sed etiam ad officium sicut ordo, qua ratione istud quod nunc est ad officium et remedium fuit institutum ad officium tantum in primo statu, ea ratione potuit et debuit tunc institui ordo ad officium; quaeritur ergo quare illud solum et non solum(!) fuit institutum ante peccatum, et si alia aliquo modo fuerunt tunc instituta?

Respondeo. Sacramentum potest dici institutum vel simpliciter vel secundum quid. Simpliciter quando a parte ad aliquod officium instituitur, et quando a parte legitima institutum, ut matrimonium tunc fuit institutum. Secundum quid quando aliquid fit et instituitur quod significat illud sacramentum futurum vel instituendum, et sic omnia sacramenta possunt dici instituta in primo statu et ante peccatum.

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[27] Lombardus, Dist. XXVI (*ed. cit.* II, 915).

Quod quaeritur quare fuit institutum matrimonium ante peccatum, dicatur quod hoc fuit in quantum matrimonium propter multitudinem naturae, quia in illo statu multitudo erat si homo non stetisset. In quantum sacramentum est, fuit tunc institutum propter fidem hominum qui tunc erant vel esse possent, quia in quantum sacramentum figurabat unionem et consensum animorum et unionem Dei et animae, ad quam tenebantur et habere et credere.

Quod obicitur quia posset ordo institui ad officium, dicendum quod sacramentum esse institutum ad officium et remedium potest esse dupliciter, vel per prius ad officium et per poterius ad remedium, vel econtrario. Primo modo est matrimonium, quia principaliter et prius ad officium, propter scilicet multiplicationem hominum et fidelium, et ideo potuit ad hoc in primo statu institui. Sed ordo, etsi sit in officium per prius, tamen est in remedium contra aliquam paenalitatem, et ideo institutio illius repugnat illi statui, quia prima institutio sacramenti debet esse ad illud quod prius est; et ideo si tunc fuisset institutum, instituendum esset non ad officium ut matrimonium, cum ad illud per prius non esset, sed ad remedium, quod illi statui repugnabat.

In secundo casu quaeritur de hoc quod dicitur ibi quod matrimonium post peccatum indultum est ad remedium, et dicit quod haec indulgentia; quia meliora non eligit non habet praemium?

Contra. Possum hanc indulgentiam accipere ex caritate ne scilicet Deum per fornicationem offendam, sed quod fit ex caritate meretur vitam aeternam et sic praemium. Praeterea, ex hoc videtur quod qui bona facit non meretur, quia posset facere maiora. Ergo, non meretur qui bene vivit in saeculo et in divitiis, quia potest facere melius; scilicet, intrare claustrum et relinquere omnia.

Praeterea, dicit quod propter indulgentiam conceditur voluntarium est, non necessarium; contra: fratri petenti veniam dimittitur culpa secundum indulgentiam, et tamen illud voluntarium et necessarium, scilicet dimittere fratri petenti veniam.

Respondeo, ad primum, illa indulgentia de contrahendo matrimonium potest comparari ad primum finem, scilicet ad vitandum fornicationem, vel ad ultimum finem, scilicet ut inde placeat Deo. Primo modo solum vitat paenam, non meretur coronam, et sic loquitur Magister[28]. Secundo modo vitat paenam, nec solum hoc, sed meretur coronam, et sic procedit objectio.

Ad aliud dicendum quod minus bonum potest dici vel privative solum, scilicet vitatio mali, et de tali loquitur Magister[29], et tale non est meritorium vitae aeternae. Vel minus bonum potest dici positive sicut opus imperfectum, imperfectum tamen[h] sicut obicitur, et tale bonum praemium meretur, quamvis non ita magnum.

Ultimo quaeritur circa tertium capitulum de hoc quod dicit quod Dominus nuptiis interfuerit ut eas commendaret, et obicitur quia cum Dominus postea consuluerit a nuptiis abstinere, Matt. XIX[30], "Sunt eunuchi" etc., alia exemplo monstravit, alia verbo praedicavit?

Quod dicit quod Dominus praecepit virum non dimittere uxorem nisi causa fornicationis, contra: Lc.[31] XIV habetur quod Dominus praedicat uxorem esse dimittendam propter nomen suum. Ergo, alia est causa quam fornicatio dimittendi uxorem.

222vb Ad primum dico quod praedicatio Domini non repugnat | facto eius, quia facto ostendit coniugium tunc esse bonum, et quod qui ducebat uxorem non faciebat malum; verbo autem praedicavit abstinere coniugio, non quia esset malum, sed quia continentia melior est. Unde non negabat nec volebat dare intelligere quod illud esset malum, sed quod istud erat melius. Postquam etiam dicit Apostolus I Cor. VII[32], "Qui matrimonio iungit virginem suam bene facit", subiungit, "et qui non iungit melius fecit".

Ad aliud dicatur quod uxorem dimittere hoc potest esse vel ipsa nolente aut ipsa volente. Ipsa nolente non potest dimitti post carnalem copulam nisi causa fornicationis, et sic loquitur Dominus de illa dimissione uxoris. Ipsa vero consentiente potest alia causa dimitti, et magis simpliciter, scilicet ut transeat ad frugem melioris vitae.

Quarto quaeritur in sexto capitulo de hoc quod dicitur in principio illius, "quod dimittet homo patrem et matrem et adhaerebit"[33] etc.; contra: Plus tenetur unusquisque sibi quam alii. Ergo, magis tenetur ei qui magis unus cum eo. Sed pater et mater magis sunt unum

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[28] *IV Sent.*, Dist. XXVI (*ed. cit.* II, p. 912—13).
[29] *Ibid.* p. 912.
[30] Matt. XIX, 12.
[31] Lc. XIV, 26.
[32] I Cor. VII, 38.
[33] Lombardus, *IV Sent.*, Dist. XXVI (*ed. cit.* II, p. 914).

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h. tamen *add. et delet.* non.

cum altero coniugum quam sit alter coniugum cum alio, quia est de substantia patris et matris.

Respondeo. Posset dici quod est teneri quantum ad cohabitationem, et sic magis tenetur alter coniugum alteri, aut quantum ad honorem et subventionem in necessitate, et sic pater et mater magis. Quod tamen non credo, quia posito quod alter coniugum sicut uxor sit in aequali necessitate cum patre et matre viri, credo quod adhuc plus tenetur uxori quam patri et matri succurrere. Propter quod dico quod simpliciter plus tenetur uxor viro et econtra quam patri et matri, et ad hoc sunt quatuor rationes. Una est expressior auctoritas praecipientis, quia cum praecipit Deus de honore parentum non fecit mentionem de unione illorum; cum autem loquitur de tentione uxoris ad virum ponit ibi inseparationem omnimodam dicens, "Quos Deus coniunxit homo non separet"[34], "Et propter hoc relinquit"[35] etc. Alia ratio est propter commixtiones sexuum, quia etsi in se sint vir et uxor duo, una tamen caro sunt et quasi unum omnino in illo actu carnali ad quem matrimonium principaliter ordinatur. Unde dicitur "Erunt duo in carne una"[36], et ita quod iam non sunt duo sed una caro.

Tertia ratio fortior est, quod in matrimonio datur spiritualis gratia unionis ad invicem, et ideo inter eos non est solum vinculum carnale, sicut inter patrem et matrem, sed etiam spirituale scilicet vinculum gratiae et caritatis spiritualis, et vinculum spirituale est fortius quam carnale vel corporale, *Extra* Lib. I, De translatione episcopali, Inter corporalia[37], ubi dicitur quod fortius est spirituale vinculum quam carnale.

Quarto ratio est propter illam maximam et indissolubilissimam unionem humanae naturae et divinae in sacramento maritali per unionem coniugum designatam. Unde ad hoc quod verum sit signum oportet quod maior sit unio cuiuslibet istorum ad alterum, quam ad aliquam aliam personam de mundo. Et ideo plus oportet eos teneri ad invicem, quia aliter non esset inter eos summa unio.

Quod ergo primo obicitur quod quia unusquisque sibi magis debet tenere ei qui sibi est magis unus, verum est secundum illam viam, scilicet secundum viam naturae. Unde magis tenetur patri quam fratri, et sic de aliis consanguineis. Sed tamen non oportet quod magis teneatur simpliciter, immo non magis tenetur ei quam illi qui sibi et secundum naturam et secundum gratiam tamen spirituale est unitus, scilicet alter coniugum; immo isti ratione maioris vinculi plus tenetur.

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[34] Matt. XIX, 3 sqq.
[35] *Ibid.*
[36] *Ibid.*
[37] c. Inter corporalia, t. De translatione episc., X, l. I (II, 97).

Quod primo obicitur quod haec tentio viri et uxoris est legis positivae, illa naturae, dico quod lex potest esse pure positiva, vel non tantum positiva sed etiam naturalis; iterum positiva potest esse vel positione humana vel positione divina. Lex positiva tantum et positione humana verum est quod minus ligat quam naturalis. Sed inter virum et uxorem non est tantum lex positiva sed etiam naturalis, quia dictat istos teneri ad invicem ratione vinculi et unionis quam habent ad invicem, et respectu unius probis respectu cuius sunt una causa immediata et in unitate carnis unius; et ratione praedictorum non est etiam lex positiva inter eos quae sit positiva ab homine sed quae a Deo est posita, et ideo plus tenetur vir uxori.

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Post hoc advertendum est quid sit coniugium, etc.

Habita illa parte in qua determinat Magister in speciali de sacramento matrimonii in quantum sacramentum, hic agit Magister de eodem in quantum coniugium, sive matrimonium, et in hac parte primo praemittit proemium in quo tangit Magister ea quae vult determinare de matrimonio; secundo determinat de illo specialiter. Incipit cap. II huius distinctionis, *Sunt igitur*, ubi incipit determinare de illis quae promisit determinare, et primo ergo agit de matrimonio ipso in se, secundo, de his quae matrimonio opponuntur, scilicet de impedimentis matrimonii, Dist. XXXIV, Nunc superest attendere etc. . . .

Quaestiones sunt hic quantum ad duo primo, de matrimonio, quid sit, secundo de causa efficiente ipsius, scil. de consensu.

Quantum ad primum quaeruntur tria, primo, quid sit secundum nomen, secundo quid secundum differentiam, tertio quid secundum rem.

Circa primum, a digniori debet res denominari. Ergo, potius debet dici patrimonium quam matrimonium.

Contra. Ab eo melius denominatur res a quo habet completionem quam a quo non habet. Sed secundum ordinem verborum, quia vir caput est in contractu matrimonii, primo debet vir proferre verba sui consensus, "Ego accipio te in meam", tamen adhuc non est completum matrimonium donec mulier suum expresserit consensum, respondens, "Et ego accipio te in meum". Ergo, videtur quod consensus matrimonialis recipiat completionem ex parte mulieris. Ergo, et ipsum matrimonium debet ab ea recipere denominationem.

Respondeo. Melius nominatur a matre, nam cum matrimonium principaliter ordinetur ad prolem, ab ea recte persona recipit vocabulum a qua magis certitudo prolis apparet. Haec autem est mater sive mulier. Certum enim esse potest quod haec habuerit prolem, non potest autem certum esse de viro. Alia ratio est quia et omnia matrimonia dicunt et referantur ad exemplum primi matrimonii et primae matris, quapropter opus matrimonii ad multiplicationem prolis facta est.

Tertia tamen est et forte melior quae dicta est in opponendo. Quod ergo obicitur de dignitate viri, dicatur quod etsi dignior sit simpliciter, non tamen quantum ad contractum matrimonii, sive quantum ad matrimonium non est dignior, sed potius mulier propter rationes dictas.

Circa secundum quaeritur de illa definitione matrimonii quod ponit Magister in littera, quae sumpta est a Glossa[38], I Cor. VII. contra quam primo obicitur, quia definitio debet dari per notiora? Maritalis non est notior quam matrimonium. Ergo, non bene datur per illam differentiam.

Item, matrimonium dicitur a muliere, et maritalis a viro; ergo non videtur competere definitioni matrimonii, sed videtur quod melius diceretur uxoralis quod a muliere dicitur sicut matrimonium.

Secundo, de hoc quod dicitur coniunctio, quia aut intelligitur corporum vel animorum. Si corporum, | *rb* ergo inter continentes non esset matrimonium, quod postea ostenditur esse falsum; si animorum, cum talem coniunctionem dicat indissolubile, quia "individuam vitae consuetudinem" etc., ergo non possit huiusmodi coniunctio dissolvi, quod falsum est, cum alter coniugum ante carnalem copulam transit ad frugem melioris vitae.

Tertio, de hoc quod dicitur inter legitimos, quia si est coniunctio maritalis legitimae sunt personae, aliter non esset coniunctio maritalis; ergo dicto maritali superfluit dicere inter legitimos. Praeterea, secundum ordinem naturae sunt vir et mulier personae legitimae ad huiusmodi coniunctionem. Ergo, ex quo dixit 'viri mulierisque' quod superfluit dicere "inter legitimes personas".

Quarto, de hoc quod dicitur "individuam vitae consuetudinem retinens", non videtur esse verum cum ante carnalem copulam possit alter coniugum intrare religionem, altero invito et remanente in saeculo; et ille qui remanent potest licite contrahere; et ita eandem vitae consuetudinem non habent.

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[38] *Glossa ordinaria (ed. cit.)* VI, 243.

Item, hoc videtur falsum post carnalem copulam in matrimonio infidelium, ubi si vir vel mulier convertatur ad fidem et alter coniugum non velit cum ipso habitare sine contumelia Creatoris, potest ab illo discedere, et cum alio matrimonialiter copulari. Ergo, non est inter eos individua vitae consuetudo.

Quarto, etiam obicitur de definitione quam ponit Gratianus, XXVI, q. 2, dicens, "Sunt enim nuptiae sive matrimonium viri mulierisque coniunctio, individuam vitae coniunctionis consuetudinem retinens"[39], quia videtur esse diminuta vel ista Magistri superflua.

Respondeo. Illa definitio est recte assignata, et notificatur ibi matrimonium per suas causas. Per maritalem et cetera, materialis tangitur dupliciter, scilicet remota et hoc vir et mulier et haec sunt personae legitimae; formalis tangitur cum dicitur coniunctio, similiter et efficiens, quia illa coniunctio[i] potest considerari prout est in fieri, et sic est coniunctio coniungens, et tunc dicit causam efficientem scilicet consensum; aut prout est in facto esse, et sic dicit formam matrimonii, et dicitur illa causa formalis in se per hoc quod coniunctio; modus autem illius, qualiter scilicet est, tangitur per hoc quod dicitur maritalis, quia dicit sic coniuncti sunt ut haec habet hunc in suum, et hic habet istam in suam; finalis tangit in hoc quod dicit 'individuam vitae' etc. Hoc importat bona propter quae matrimonium contrahitur, quia in fide et prole et sacramento intelligitur haec individuatio vitae.

Quod ergo primo obicitur quod maritalis non est differentia magis nota, dico quod immo, quia matrimonium dicit rationem ipsam quae magis est intelligibilis quam sensibilis; maritalis autem dicit modum consentionis qui sensibilis est quodam modo, ut scilicet habet proferri, "Ergo accipio te in meum", et "Ego te in meam", et sic est magis notum quoad nos.

Quod postea obicitur quod melius diceretur uxoralis quam maritalis quia etc., dicatur quod matrimonium dicit quid relativum non absolutum, et relativum habet per alterum notificari. Quia ergo alterum extremorum intelligitur in definito, quia hoc quod dico matrimonium dicam illam relationem per comparationem ad mulierem, propter hoc et alterum extremorum tangitur in definitione, scilicet per hoc quod dicit 'maritalis', quia dicit illam formam relativam per comparationem ad virum, sicut matrimonium illam dicit per comparationem ad mulierem. Unde 'maritale' in definitione matrimonii ponitur sicut filius in definitione vel notione patris ponetur.

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[39] Potius c. XXIX, q. 1 (*ed.* Friedberg I, 1091).

i. coniunctio *add. et delet.* prout.

Quod ergo obicitur quod melius diceretur uxoralis, verum est si diffinitum esset absolutum. Sed quia est relativum et nihil refertur ad se, sed ad alterum extremorum, ideo melius ponitur ibi quod importat alterum extremorum quam quod nominaret mulierem, sicut et diffinitum.

Quod primo obicitur aut libera coniunctio dicit coniunctionem corporum vel animorum, dico quod nec animorum tantum nec corporum tantum sed indifferenter hanc et illam, scilicet et ratum quae est per consensum animorum tantum, et ratum et consummatum quae est ultra per carnalem copulam.

Ad aliud patet quod si vir et mulier sint apti secundum naturam ad contrahendum ratione sexus, non tamen semper quilibet vir et quaelibet mulier apti ad hoc secundum ius positivum, et hoc positum a Deo vel ab homine, quia et a praecepto divino excipiuntur quaedam personae a matrimonio, et etiam postmodum praecepto humano secundum Dei ordinationem et voluntatem dato.

Quod primo obicitur contra hoc quod dicitur 'individuam vitae consuetudinem' etc., iam satis patet quod verum est quod quantum ad hominem fuit ab homine indissolubilis est haec coniunctio, unde "quos Deus coniunxit homo non separet"[40]. Auctoritate tamen Dei, qui est superior, potest haec coniunctio dividi, quod notat interlinearis[41] super illud Matt. XIX, homo non separat sed Deus, et alia quaedam Glossa[42] dicit Deus separat quam et coniunxit quando ex consensu propter cultum Dei eo quod tempus in arcto sit habemus uxores quasi non sint[43]. Ex hoc patet quod cum aliquis intrat religionem ante carnalem copulam ut spiritualis colat Deum, et ei serviat, quod non homo sed Deus facit hanc divisionem. Similiter et quando quis separatur ab uxore infideli propter contumeliam Salvatoris, non homo sed Deus separat. Intelligitur autem in illa definitione 'individua' quantum ad hanc, non quantum ad Deum.

Circa tertium in sacramento quantum ad rem est aliquid quod est signum tantum et non res, aliquid quod est res tantum et non signum, aliquid quod est res et signum insimul tamen respectu diversarum. Quaeritur ergo quae sint ista in matrimonio?

Quaeritur ergo primo quid sit ibi signum tantum? Aut ergo verba exterius, aut personae ipsae, aut subarratio. Non verba quia haec in nullo sacramento sunt signa, sed potius dantia virtutem signo, et sunt potius in ratione efficientis quam signi; ergo etc. similiter, erint in isto.

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[40] Matt. XIX, 6.
[41] *Glossa ordinaria (ed. cit.)*, V, 316.
[42] *Ibid.* V, 315.
[43] I Cor. VII, 29.

Secundo, quaeritur quid sit res tantum? Aut ergo coniunctio divinae et humanae naturae in Christo, aut coniunctio Christi et Ecclesiae, aut consensus interior animorum. Non videntur ibi plura quae possent esse huiusmodi; non duo prima, quia non efficitur huiusmodi coniunctio per matrimonium, sed sacramentum efficit in suscipiente illud quod est res tantum, quia sacramentum Novae Legis efficit quod figurat. Non consensus interior animorum quia non solum est res sed etiam signum est coniunctionis Christi et Ecclesiae vel Dei et animae sanctae.

Tertio, quaeritur quid ibi sit res et signum insimul? Et non videtur ibi esse nisi consensus animorum; et hoc ponitur a quibusdam esse res et signum.

Sed contra, quod est res et signum insimul in sacramento recipit vel efficitur vel aliquam virtutem recipit ab exteriori signo vel verbo, non autem dat illi exteriori signo vel verbo virtutem; sicut character in baptismo a signo et verbo exteriori recipit vel efficitur, non confert eis aliquid; sed consensus interior non recipit ab exteriori, sed dat virtutem exteriori, quia ipsa tota causa est matrimonii, et sufficit per se; alia autem exteriora nihil valent sine illo, sed quidquid valent, valent ab eo et accipiunt. Ergo, non est res et signum.

Respondeo. Secundum quosdam consensus exterius expressus vere vel interpretative, id est per verba de praesenti vel per aliquid tantum valens, est in sacramento matrimonii signum tantum. Consensus interior sive coniunctio animorum est signum et res, coniunctio Christi et Ecclesiae vel divinae naturae et humanae est res tantum et non signum. Credo tamen sine praeiudicio quod contingit loqui de sacramento dupliciter, aut communiter, et sic non est in sacramento nisi signum et signatum, nec exigitur quod sit ibi aliquid causa; vel specialiter prout est sacramentum Novae Legis, et sic exigitur non tantum signum et signatum, sed exigitur quod ibi sit signum et causa. His igitur duobus modis possumus loqui de matrimonio. Si loquimur de ipso prout est communiter sacramentum, sic tunc est ibi signum tantum expressio consensus exterior vel interpretative; res tantum vel signatum tantum est ibi coniunctio Christi et Ecclesiae, sive divinae naturae et humanae in Christo; res et signum est coniunctio corporum et animorum, quia utraque harum figurantur verbo exteriori. In hoc quod dico "Accipio te, et Ego accipio te", signatur coniunctio animorum; in hoc quod dicitur 'in meam' et 'in meum' coniunctio corporum designatur; et coniunctio[k] corporum est signum coniunctionis divinae naturae et humanae, coniunctio animorum signum coniunctionis Christi et Ecclesiae vel Dei et animae sanctae. Si autem loquimur de matrimonio prout est sacramentum Novae Legis, sic expressio consensus exterior est signum tantum; consensus interior est signum et res, nec est purum signum, sed signum et causa, signatum vero vel res tantum quod efficitur in hoc sacramento est vel diminutio ardoris concupiscentiae vel inseparabilitas. Haec efficiuntur ab illo consensu. Primum contra malum ibi efficitur, secundum in bonum.

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[k] coniunctio *add. et delet.* animorum.

Quod ergo primo quaeritur quid est signum tantum, dico quod non personae, non subarratio, nisi quantum ad bene esse, scilicet quantum ad solemnitatem, non quantum ad esse sacramenti sicut quaeritur de signo, sed verba sive expressio exterior consensus, expressio dico vera ut per verba vel per interpretativa, ut per aliqua signa verbis aequipollentia.

Quod obicitur quod verba in aliis sacramentis non sunt signa sed dantia virtutem, dico quod aliter se habent verba in aliis et in isto, quia in aliis verba semper comparantur ad superius, scilicet Deum sive Verbum Incarnatum a quo influentiam recipiunt per quam habent virtutem efficiendi, et quam dant ei tantum quod signum est ibi, ut patet per singula. In hoc autem verbo non comparantur ad Deum vel Verbum Incarnatum a quo influentiam possent recipere, sed ad creaturam, et a creatura procedunt, scilicet a corde a quo influentiam virtutis recipere non possunt, et ideo tantum signa sunt in hoc sacramento, et non efficacia.

Quod secundo quaeritur quid est ibi res tantum, dico quod si consideretur matrimonium in quantum sacramentum communiter loquendo, sic est ibi res tantum coniunctio Christi et Ecclesiae et coniunctio divinae naturae et humanae; si autem consideraretur ut sacramentum Novae Legis, sic est ibi res tantum quae scilicet efficitur in suscipiente diminutio ardoris concupiscentiae et hoc contra malum, et inseparabilitatem et hoc in bonum.

va | Quod tertio quaeritur quid est ibi signum et res, dico quod consensus interior.

Quod obicitur quod non recipit ab exteriori signo vel verbo sicut in aliis sacramentis, sed potius dat, dico quod sicut aliter est de verbo exteriori et in hoc sacramento et in aliis, sic est de eo quod est res et signum hic aliter quam in aliis, quia ut in aliis[1] recipit virtutem verbum a superiori quod non hic. Ideo et illa dat ei quod est signum et res, sed non hic. Immo potius est hic econtra. Quia enim verbum fluit ab interiori consensu, ideo vim totam quam habet recipit ab illo. Dico tamen quod etsi consensus interior non recipit virtutem efficiendi a verbo exteriori, recipit tamen ab eo quod sit signum, sic aliquid recipit ab eo. Unde in hoc est similitudo eius quod est signum et res in hoc sacramento et in aliis. Unde consensus interior numquam signum esset nisi verba essent exterius prolata vel aliquid aequivalens factum, et ideo ab exteriori accipit quod sit signum, etsi non quod efficiat.

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[1] ut in aliis *marg.*

Quantum ad secundum principale quaeruntur tria, quia quaeritur primo de causa matrimonii initiati, scilicet de sponsalibus; secundo, de causa matrimonii rati; tertio de causa matrimonii consummati, quia haec tria sunt in matrimonio, et de his omnibus tangitur in littera.

Quantum ad primum quaeruntur tria, primo, de definitione sponsalium, sive quid sint sponsalia; secundo a quibus possint contrahi sponsalia; tertio, utrum possint dissolvi.

Circa primum, sponsalia definiuntur XXX, q. V, Nostrates[44], "Sponsalia secunda sunt promissio futurarum nuptiarum".

Contra hoc primo obicitur quia sicut habetur in principio *Summa de Matrimonio*[45], sponsalia contrahuntur quattuor modis nuda scilicet promissione etc., sicut ibi habetur cum concordantiis. Ergo, videtur definire genus per speciem, vel quod diffinitum sit in plus quam definitio. Secundo, quia quod futurum est aliquando erit; sed aliquando post sponsalia non sequuntur nuptiae, quia separantur sponsi. Ergo, male ponuntur ibi quod dicitur futurarum. Tertio, quia nuptiae nec sunt ipsum matrimonium, nec de essentia matrimonii, sed solum de solemnitate illius. Ergo, cum sponsio sit respectu matrimonii futuri, non solemnitatis, videtur quod non bene ponitur ibi nuptiae, sed debet ibi poni matrimonium.

Respondeo. Bona est illa definitio sponsalium, et datur per differentiam ad matrimonium, et quia matrimonium consummatum sequitur matrimonium ratum, ideo ex differentia ad ratum supponitur simpliciter differentiam ad matrimonium. Datur ergo illa definitio per commune et per differentias. Commune est ibi nuptiae, differentiae autem sunt ibi promissio et futurum per differentiam ad duo quae sunt in ratificatione matrimonii, scilicet, factum de praesenti, consensus scilicet quo uterque coniugum transit ad dominium alterius, et verbum huius consensum designans, quod verbum similiter est de praesenti, et exhibitionem quandam de praesenti significat per differentiam. Ergo, ad verbum de praesenti quod est in ratificatione matrimonii dicitur in definitione sponsalium promissio ad differentiam facti. Ponitur ex hoc parte futurarum.

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[44] c. 3, C. XXX, Q. V (*ed.* Friedberg I, 1105).
[45] Non inveni.

Quod ergo primo obicitur quod pluribus modis quam promissione contrahuntur sponsalia, dicatur quod promissio est in sponsalibus essentiale. Quod autem fiat per nuda verba, vel sic vel sic, hoc est accidentiale, quia in definitione non debet poni nisi quod substantiale est. Et ideo bene ponitur ibi promissio.

Quod secundo obicitur quod non semper sponsalia sunt futura, quia non semper eveniunt nuptiae, dico quod est futurum in re et est futurum tantum in fide. Si non sint futura in re, tamen futura sunt in fide promittentis cui se credunt invicem. Est autem fides dupliciter, scilicet pactionis et fides consensus. Hanc duplicem fidem distinguit Augustinus, et habetur XXVII, q. II, cap. ultimo[46], et *Extra*[47] De sponsa duorum[m], cap. Duobus, et de fide pactionis. Loquitur in hac responsione, quia haec est promissio de futura ut patet in littera[48].

Quod tertio obicitur quod nuptiae non sunt de essentia matrimonii, dico quod nuptiae aliquando dicunt solemnitatem matrimonii ut coniugium, unde "Nuptiae factae sunt in Cana Galilaeae"[49], et "Homo quidam rex fecit nuptias filio suo"[50]. Aliquando solemnitatem matrimonii, quae est gaudium et exultatio illius. Dicunt etiam aliquando ipsum matrimonium, unde, "Non nubent neque nubentur"[51], et alibi, "Erunt homines nubentes et nuptui tradentes"[52], et hoc ultimo modo sumitur ibi.

(Continuabitur)

Kilian F. Lynch, O. F. M.

St. Bonaventure, N. Y.

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[46] *Decret. Grat.* c. 51, C. 57, Q. II (*ed.* Friedberg I, 1078).
[47] c. Duobus modis, t. IV De Sponsa duorum, X, l. IV (II, 680).
[48] Cf. *IV Sent.* (Lombardus), Dist. XXVII, cc. IX et X (ed. Quaracchi II, p. 922).
[49] Joh. II, 1.
[50] Matt. XXII, 2.
[51] Matt. XXII, 30.
[52] Matt. XXIV. 38.

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m. utrobique in caput *expung.*

BOOK REVIEWS

Zürcher, Josef, *Das Corpus Academicum*, Paderborn, 1954; 175 pp. — *Lexicon Academicum*, 1954; 36 pp.

When he published his epoch-making study of the *Corpus Peripateticum* (Cpe) in 1952[1], Father Zürcher promised a companion-book on the *Corpus Platonicum*. If the thesis of the former proved startling, and yet has not been rejected completely nor refuted to date, the position of this second work may likewise produce considerable controversy. In the earlier work the author endeavored to show that the Peripatetic body of writings was largely the production of Theophrastus in the thirty or more years he headed the Lyceum after the death of Aristotle. The present work presents the conclusion that the present text of the *Corpus Academicum* (Cac) is from Polemon (315—270 B. C.) as published perhaps by Arcesilaus, with remnants in some dialogues of the original work of Plato or in others of a text from Xenocrates.

Fundamental to both works is the supposition (p. 16) that the literary remains of the great philosophical leaders of Athens, Plato, Aristotle, Zeno, Epicurus, underwent development at the hands of their disciples; as property of the school, they grew and developed with the school. This was the intuition of Wilamowitz (*Platon*, Berlin, 1919), that the problems and difficulties of the Cac make sense only if we suppose that at the time of Arcesilaus or Lacydes (about the middle of the third century B. C.) the Corpus Platonicum was altered to the Corpus Academicum which we now posses. Zürcher would change this to the extent that Polemon is to be considered the author of this new Corpus, Arcesilaus the editor or publisher. The former was motivated by the need to keep the Academy abreast of the modern Peripatos and bring it to grips with current problems proposed by Zeno and Epicurus as well as by Theophrastus. To do this, he purposely and consciously modernized and adapted the ancient text of Plato, not primarily to replace the latter's philosophical doctrines but rather to align the scientific content of the dialogues with new discoveries. Only thus could the Academy survive and continue to attract new students. But to keep the tradition of Plato, he continued to use the dialogue-form and retained the old Platonic scenery as his background (pp. 19 and 89). The Cac would thus be almost contemporary with the Cpe, the latter being dated 320—290 B. C., the former primarily from 300—270.

Proofs for this position, by contrast with the number of extrinsic arguments advanced for the Theophrastian authorship of the Cpe, are almost exclusively intrinsic, drawn directly from the Cac. According to the author's own listing

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[1] *Aristoteles' Werk und Geist* (Paderborn, 1952); cf. I. Brady, O. F. M., "The New Aristotle," *The New Scholasticism*, XXVII (1953), 305—334.

(p. 22), they are as follows: 1. philological: the speech and style of the Cac. It seems universally admitted that the Cac with some unimportant exceptions shows such a unity of style as to require unicity of authorship. The language moreover is as modern as that of the Cpe, i. e., it is that of the end of the fourth century and the beginning of the third; one need but contrast it to that of Xenophon to note the difference (p. 18). 2. The scientific content, e. g., in physical, biological, mathematical and astronomical knowledge, evidenced particularly in the *Timaeus* (pp. 136—154), the *Meno* (p. 58), *Sophistes* (pp. 80—82), *Philebos* (pp. 87 ff), points to such parallels with the Cpe, the teachings of Zeno and/or Epicurus and other later men, as to be intelligible only if written about 300 B. C. 3) The *Problematic* of the Cac is that of the Stoa and Kepos (Garden); 4. it is partly, at least, that of the Peripatos. *Gleiche Problematik — gleiche Zeit* (p. 83). The problems are the same as found in the Cpe, problems that can be understood only in the Athenian milieu of 320—300, when the Porch and the Garden strove sometimes with and sometimes against each other and/or the Peripatos and Academy. This, indeed, Zürcher considers the strongest proof for his interpretation of the Cac: *die Tatsache, daß die Gegner Polemons immer Stoa und Kepos waren, ja daß Polemon überhaupt keine anderen Gegner mehr kannte als nur diese zwei* (p. 161). It is largely in terms of this principle that he studies each dialogue; it certainly enables him to clarify the meaning in a large number of instances. Lastly (5), the allusions and implications, e. g., to historical and political events, point only to the period about 300 B. C.

To these may well be added a proof based on a comparison of the theory of Ideas as presented in the Cac, the Cpe and the dialogues of Aristotle. Certainly the Cac does not give a systematic exposé of the theory, but seems to suppose it as something long since known (p. 34); Plato himself would hardly have given such an inadequate explanation. Moreover, the author of the Cac reveals a change of thought, from the transcendence of the Ideas (p. 34) to their immanence (p. 78) to a return in the *Timaeus* to transcendence and at last in the *Laws* and *Epinomis* to their total rejection (p. 17). On the other hand, the theory as stated in the Cpe, particularly in the *Metaphysics*, is at variance with the Cac. In like manner, many other citations in the Cpe from Plato's writings prove that there were earlier versions of his dialogues than the ones we now possess.

To illustrate the author's procedure, let us take as a sample (in shortened form) his study of the *Theaetetus* (pp. 56—64). This dialogue is considered as primarily a controversy with the Stoa and Epicurus: with the latter over his theory of perception, with the Stoa over their concept of knowledge; only at the end (202 B ff) is there some opposition to Theophrastus on the definability or indefinability of the concept. "Theaetetus" is but a cover-name or pseudonym for Euclid, whose acme was about 290; it cannot stand for the historical Theaetetus (d. 368), who could not have known the ninth and tenth theorems of Book Ten of Euclid. (Zürcher sees the Cac as full of symbols and pseudonyms, with names of older men of the Platonic age standing for or covering the contemporaries of Polemon; cf. pp. 48; 62—63; 111.) — The contents show that the work cannot be Platonic in authorship: the whole problem of *doxa* and *episteme*, that of knowledge through *aesthesis*, and the theory that knowledge is perception, are rooted in the milieu of the Stoa and Kepos. Similarly, the theory of sight (pp. 58—59) stems completely from Epicurus. The "uninitiated" (155E), who do not concede real existence to anything immaterial, are the members of these two schools. At the same time, several passages or expressions (p. 59) seem to be intended as characterizations of Epicurus or of Zeno. — On the other hand, there is solid evidence to show that there was an older *Theaetetus* from Plato: there are admittedly two distinct incipits known in antiquity, which combined with several arguments from doctrinal content had already led Wilamowitz to deny the Platonic authorship of the present text. — Lastly, the anachronisms in *Theatetus* (as in other dialogues) are shown to be conscious and deliberate, as part of the Platinic scenery, to remind the gentle reader that the *personae dramatis* are not historical figures of the past but rather persons of the actual present.

Another example might be taken from the *Phaedo* (pp. 67—70), where two proofs are offered that it must date from 300: first, the question of suicide, which is sharply condemned by the author in the face of the Stoic position that it is morally licit; secondly, the reference to the teaching of Aristoxenos and Dikaiarchos, that the soul is but a harmony of the body. This latter is cited, of course, in the *De anima;* but the fact that its authors are not identified by name would prove them contemporaries of Theophrastus. Hence the *Phaedo* as we have it is from a like date. On the other hand, there are grounds for holding that the original text goes back to Xenocrates, since the dialogue embodies his spirit and expressions.

The author analyzes in detail the forty four works that make up the Cac, endeavoring in each case to determine the author, date and interpretation of contents. His thesis enables him to throw much new light not only on the Academy, Plato, the latter's teachings as contrasted to later developments in his school, Xenocrates and Polemon, but also on Socrates and the value of the Cac's testimony on the latter.

We may regret that Father Zürcher has not seen fit to present a series of conclusions or a summary which would briefly state the teachings of Plato himself as opposed to later additions (a procedure he did attempt in his earlier work for Aristotle). No doubt, such studies will be among the fruits this work should produce in other scholars.

An important defect of the work, it would seem, is the failure in the long chapter on the *Republic* to say anything on the Allegory of the Cave, which is surely a key-passage in the interpretation of Platonism. We should like to know if it may be considered a part of the Platonic Ur-text of the dialogue or is, as would seem more likely from this study, the invention of Polemon.

The *Lexicon Academicum*, a small companion-piece of the larger volume, furnishes two lists: one of the *personae dramatis*, the persons who speak in the various dialogues; the other, of the proper names found in each work, e. g., Zeus, Protagoras, Simonides, etc.

Ignatius Brady, O. F. M.

Schlitzer, Albert L., C. S. C., *Redemptive Incarnation*, Sources and their Theological Development in the Study of Christ, (University Religion Series), Notre Dame, Indiana, 1953, X—337 pp.

Fr. Schlitzer has made an excellent contribution to the study of theology for laymen, and a goodly number of clerical students will undoubtedly find this work in English on Christology helpful.

In extension the book is quite thorough. The author treats of the fact of the Incarnation (repeating, however, much of the material treated in a work of the same series, *Evidence For Our Faith*, by the late Father J. H. Cavanaugh, C. S. C.), the mystery of the Incarnation, grace in Christ, the perfections of the mind and will of Christ and the weaknesses He assumed, the motives for the Incarnation, Christ as Mediator, the death of Christ. There is no treatment of the Resurrection of Christ or Christ's role in our Beatitude. Fittingly the author deals with Mary as the Mother of God and Man. There is, however, not even a brief treatment of St. Joseph.

The author could be classified as a rightist in his approach, since he uses the traditional procedure of giving the arguments from the Magisterium, Scripture, the Fathers, and theological arguments for the doctrine. A thesis-like statement is listed as the problem, and then questions are raised to be solved by references to sources. Wisely the author does not explicitly give the theological notes for his thesis or 'problem'. In the addenda after each chapter the kerymatic element is provided with the 'impact of these truths on daily life'. The pedagogical aid of questions for review at the end of each chapter is another interesting and perhaps useful feature.

By making frequent references to sources literature, the author aims to illustrate the scientific nature of theology. The references, however, as given seem destined more to impress the student than to aid research and further study, since data on editions and/or translations is not given.

F. Schlitzer's work is designed as a textbook; hence it seems that he leaves it to the professor to supply the dates and geographic location of Fathers and Councils.

By this time there is probably a list of typographical corrigenda that will be corrected in deserving subsequent editions. (Alacoque on p. 131. Cf. also pp. 228, 239, 255, 301, 309, 321. A pedantic proofreader might unsplit the infinitives as on pp. 56 and 292). On page 254 we read a quote from canon 10 of the Council of Ephesus: "He was totally *with* sin." The *out* is important in the passage since the Latin in Denzinger reads: "qui peccatum omnino nescivit."

Theologically considered, the work is well done; but the author's statement on p. 99, "God could not have chosen St. Peter, or you or me to be His human nature", can be questioned. Out of context it could be understood as limiting the power of God so that He could not assume the human nature of St. Peter or any other person. In context, however, the author is illustrating the fact that the human nature of Christ has no human person.

Worthy of praise is the author's treatment of the motive of the Incarnation, except for an unfair and rather untheological question on page 205: "If the Scotist view has its roots deep in the truth of revelation and if it shows more clearly and convincingly the primacy of Christ over mankind, why do not the Popes of our day make use of it?"

Redemptive Incarnation is an excellent work that should do much toward giving us intelligent and theologically informed Catholics. Notre Dame is continuing and expanding its great role in American Catholicism by producing the "University Religion Series".

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I Sacramenti dell' Iniziazione nell' Epigrafia Cristiana Antica. By Tommaso Pinna, O. F. M. Conv. (Estratto di una Tesi di Laurea. Roma 1954. Pp. 64).

The early Christians reckoned among the happiest and solemn moments of their lives the day on wich they received the sacraments of Christian initiation: Baptism, Confirmation, and Eucharist. By these rites they were numbered among the 'fideles'; henceforth they were able to participate in the Liturgical Synaxes during which, among other things, the rich symbolism which attends these sacred rites was unfolded to them for the first time. They have bequeathed to future generations memories of that eventful day in the form of inscriptions, epitaphs, and other symbolical signs.

Fr. Pinna has assembled these ancient inscriptions, chiefly sepulchral, bearing on the sacraments of Christian initiation, and has essayed to prove that the sacred rites of the Church were not imitations of pagan mystery cults and have nothing in common with them. On the contrary, they enshrined the divinely instituted sacraments which vastly differ in their matter and supernatural effect from the secret rites of ethnic cults. In its simple lapidary style ancient Christian epigraphy attests to the 'sensus fidelium' as to their faith in the mysteries of Christian initiation.

However modest in its proportions, the work of Fr. Pinna presents the choicest selections of Christian epigraphy and a select bibliography. It will prove a useful aid to Sacramentary Theology.

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REVEREND PHILOTHEUS BOEHNER, O. F. M.
1901 — 1955

BIBLIOGRAPHY
OF FR. PHILOTHEUS BOEHNER, O. F. M.

When a prolific and versatile author does not keep track of his own writings, it is rather difficult for somebody else to establish a complete record of these publications. Fr. Philotheus did not have a list of his writings, nor did he possess a copy of everything he had published. We have tried to gather an exhaustive bibliography of his, but we fear, especially for the writings listed under rubrics III and IV, that our efforts did not fully succeed.

Statistically speaking, it appears, from our list, that Fr. Philotheus has written mainly in German and in English, occasionnally in French; he has done translations from the French into German, and from the Latin into German and English. A number of his publications were editions of Latin medieval texts. Minor articles of his have been translated into Spanish, Portuguese, Bosnian, and Lithuanian. In Philosophy he spent most of his time and efforts on medieval Logic and History of Philosophy, his preferred author being William Ockham, whereas in Biology, especially thermonasty and bryology caught his attention.

A bare list of writings obviously does not tell the entire story of the literary career of an author. In the case of Fr. Philotheus, for instance, one ought to add that the Franciscan Institute, in the short years of its existence, has published 48 volumes (cf. Appendix; 40 volumes were published before the death of Fr. Philotheus), in addition to the fifteen volumes of *Franciscan Studies* and the five volumes of *The Cord*. Fr. Philotheus was the driving power behind all these publications. He started *Franciscan Institute Publications* and *The Cord*. He reorganized *Fransciscan Studies*. He was not the first to think of publishing a collection of *Works of St. Bonaventure* in English; nevertheless, he started the series. And he began the forthcoming edition of *Opera omnia theologica and philosophica* of Ockham, for which series he did a tremendous amount of work. Besides, to picture the literary career of Fr. Philotheus, one ought to evaluate his contribution to a better understanding of reality. Posterity has to do that.

Abbreviations used: FcS: Franciscan Studies;
FIP: Franciscan Institute Publications;
FS: Franziskus-Stimmen, Werl;
FzS: Franziskanische Studien;
KK: Kirche und Kanzel, Paderborn;
SLS: Spirit and Life Series, Franciscan Institute;
SN: Sanctificatio Nostra, Kevelaer now Werl;
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171. *Le Peri Hermenias en Occident de Boèce à Saint Thomas*, by J. Isaac, in FcS 14 (1954) 325—326.

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V. APPENDIX

Chronological List of the pubications of the Franciscan Institute

1944 1. *The Tractatus de successivis Attributed to William Ockham*, edit. Ph. Boehner, O. F. M., FIP Philosophy Series 1.

1945 2. *The Tractatus de praedestinatione et de praescientia Dei et de futuris contingentibus*, edit. Ph. Boehner, FIP Philosophy Series 2.

1946 3. *The Transcendentals and Their Function in the Metaphysics of Duns Scotus*, by Allan B. Wolter, FIP Philosophy Series 3.

1947 4. *Intuitive Cognition. A Key to the Significance of the Later Scholastics*, by Sebastian Day, O. F. M., FIP Philosophy Series 4.

5. *Three Saints' Lives by Nicholas Bozon*, edit. Sr. M. Amelia Klenke, O.P., FIP History Series 1.

1948 6. Avicennae *Metaphysica*. Pro manuscripto, reproduction of the Venice edition of 1508 (Exhausted).

7. *Imperial Government and Catholic Missions in China During the Years 1784—1785*, by Bernward H. Willeke, O. F. M., FIP Missiology Series 1.

8. *From Sunday to Sunday*, by Thomas Plassmann, O. F. M., SLS 1.

1949 9. *The De Primo Principio of John Duns Scotus. A Revised Text and a Translation*, by Evan Roche, O. F. M., FIP Philosophy Series 5 (Exhausted).

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PORTIO SUPERIOR AND *PORTIO INFERIOR RATIONIS* IN THE WRITINGS OF ST. BONAVENTURE

Like all the other thinkers of the thirteenth century, St. Bonaventure fell heir to a mixed philosophic tradition constituted by elements of Aristotelianism, Neoplatonism, and Augustinianism; and, in the spirit of the age which inspired most, if not all, of the important philosophers and theologians of the time, he attempted to put all three elements in the service of theology. Aristotle's notion of abstraction, Avicebron's theory of spiritual matter and plurality of forms, St. Augustine's doctrine of illumination — all these and more can be found in the rich corpus of St. Bonaventure's writings.

This vast complexity of St. Bonaventure's sources, is brought out most strikingly by a study of the doctrine of *portio superior* and *portio inferior rationis*, which appears many times in his works. The purpose of this paper, however, is not simply to indicate his sources, but also to show how he mastered them by developing an idea without ever departing from its original inspiration.

St. Bonaventure's principal source in the question of *portio superior* and *portio inferior rationis* was undoubtedly St. Augustine, who speaks at length upon the two parts of the reason or of the soul in the *De Trinitate:* the higher part of the soul has its gaze, as it were, fixed upon the eternal reasons and draws from them its wisdom; the lower part of the soul is turned towards exterior, material things, and, through the science it acquires, guides man in the practical affairs of life[1]. St. Augustine himself seems to have drawn the idea from Plotinus or from the neo-Platonists who, following Plotinus, held that every soul has two parts: "Something of the lower on the body side, and something of the higher on the side of the Intellectual Principle[2]." St. Augustine's theory re-appeared successively, in different forms, in the works of Isaac de Stella[3], Alcher[4], Richard and Hugh of St. Victor[5], and probably influenced many of the famous twelfth century commentators on Boethius, whose distinction between *ratio* and *intelligentia* often bears a startling resemblance to St. Augustine's distinction between the two parts of the soul[6]. The theory also passed directly from Plotinus into the history of Arabian philosophy, for the mediaeval Arabian philosophers were heavily influenced by a work called *The Elements of Theology*, which they thought was Aristotle's and reverenced accordingly. In reality, this work was by a neo-Platonist, deeply indebted to Plotinus and the *Enneads*[7]. Avicenna's division of the power of the soul into *virtus sciendi* and *virtus agendi* was undoubtely inspired by the *Elements*[8], and the Latin translation of Avicenna's *De anima* by a remarkable coincidence describes each power as a *facies animae* — a term used by St. Augustine himself to describe the two parts of the reason[9]. The introduction of a modified form of Avicenna's theory and of the terminology *duae facies animae* into Franciscan philosophy and theology during the Middle Ages is well-known and has been treated elsewhere[10]. Algazel (1058 to 1111) repeated Avicenna's theory in his own work, *Metaphysica;* and the translator of this work (as well as of the *De anima* of Avicenna), Dominicus Gundissalinus, clearly indicates in his translation that he personally associated the *duae facies animae* of Algazel with the higher and lower parts of the soul spoken of by St. Augustine: "Anima vero humana habet duas facies, unam ad partem superiorem . . . et aliam faciem ad partem inferiorem, scilicet ad regendum corpus[11]," — thus translating the doctrine of Algazel in terms that clearly echo the doctrine and terms of St. Augustine. The Arabian and Augustinian versions of this theory had long since found their way to Paris when St. Bonaventure began his study of the liberal arts there, probably between 1236 and 1245.

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[1] St. Augustine, *De Trinitate*, XII, 2. Migne, *Patrologiae cursus completus*, series latina (hereafter cited as PL): 42, 999.

[2] Plotinus, *Enneads*, IV, 8, 8. Translation of S. MacKenna, *Plotinus* (London, 1921—1930), III, p. 153.

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[3] Isaac de Stella, *De anima*. PL: 194, 1879: Posita ergo in medio, anima aliquam cum utroque habere debet convenientiam, et cum summo in suo superiori, et cum imo in suo inferiori.

[4] Alcher, *De spiritu et anima*, xi. PL: 40, 783: Et dividit se ratio in duo, scilicet in seorsum et deorsum; sursum in sapientiam; deorsum in prudentiam; quasi in virum et mulierem, ut vir sit superior et regat, mulier inferior et regatur.

[5] Richard of St. Victor speaks of an *aspectus intelligentiae* directed towards higher beings and of the *aspectus animae* concerned with knowledge of corporeal things. See his *De gratia contemplationis*, I, 3. PL: 196, 67. Compare also St. Augustine's statement, "Quandoquidem de ipsis corporalibus quae sensu corporis sentiuntur . . . si bene, ut eam notitiam referat ad finem summi boni . . ." (*De Trinitate*, XII, 12. PL: 42, 1007) with Hugh of St. Victor's "Dispositae sunt virtutes aliae inferiores, aliae superiores, ut ab inferioribus ad superiora ascendendo participes tandem fiat summi boni . . ." (*Expositio in hierarch. coelest.*, IX. PL: 175, 1104).

[6] See, for example, the anonymous manuscript contained in Wilhelm Jansen, *Der Kommentar des Clarenbaldus von Arras* (Breslau, 1926), p. 7*: Res ergo in sua immutabilitate . . . comprehendere summa quidem est sapientia. Ideoque dictum est sapientiam esse comprehensionem veritatis rerum quae sunt, id est, quae in sui natura immutabiles sunt. St. Augustine describes the object of the higher reason as follows: Ea quae nec fuerunt, nec futura sunt, sed sunt . . . sine ulla mutabilitate temporum (*De Trinitate*, XII, 14. PL: 42, 1010). The distinction between *ratio* (whose object was material) and *intelligentia* (whose object was immaterial) was so closely associated with the distinction between *ratio superior* and *ratio inferior* that when St. Thomas came to treat the latter in his *De veritate*, three of the objections in his article are concerned with *ratio* and *intelligentia*. See *De veritate*, q. 15, a. 1, objections 7, 8, and 12.

[7] E. R. Dodds discusses the authorship and sources of this work in his introduction to Proclus, *The Elements of Theology* (Oxford, 1933). In this edition, see propositions 188, 191, 192, 196, 209, and 211. For the influence of Pseudo-Aristotle's *Theologia* on Arabian philosophy, see G. Quardi, *La philosophie Arabe dans l'Europe médiévale* (Paris, 1947), p. 11.

[8] See Avicenna, *De anima*, I, v (Venice, 1508), 5 rb. For the influence of Plotinus on Avicenna's psychology, see A. M. Goichon, *La philosophie d'Avicenne* (Paris, 1944), pp. 41—42, 48—49.

The very terminology used by St. Bonaventure when explaining what is meant by *portio superior* and *portio inferior rationis* in his own writings indicates the many sources from which he consciously or unconsciously drew his doctrine. At times he speaks of the two-fold "regard" of the soul *(duplex aspectus animae)* — a term used very often by Augustine in this matter[12], as well as by Richard of St. Victor[13]. Again, when treating the habits proper to the *portio superior* and *portio inferior*, St. Bonaventure describes them as "sapientia quae est desursum, et alia quae est deorsum" — an unmistakable echo of Alcher's phrase in the same connection, "sursum in sapientiam, deorsum in prudentiam . . .[14]"

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[9] St. Augustine, *De Trinitate*, XV, 7. PL: 42, 1065: Si sola anima cogitetur, aliquid eius est mens, tamquam caput eius, vel oculus, vel facies . . . See also *De diversis quaestionibus LXXXIII*, xlvi. PL: 40, 30: Anima vero negatur eas intueri posse, nisi rationalis, ea sui parte qua excellit, id est . . . quasi quadem facie vel oculo suo interiore atque intelligibili.

[10] J. Rohmer, "Sur la doctrine franciscaine des deux faces de l'âme," *Archives d'histoire doctrinale et littéraire du moyen* âge, II (1927), pp. 73—77.

[11] Algazel, *Metaphysica* (in *Liber philosophiae*, Tr. IV, ch. 5). Cited by Georg Bülow, *Des Dominicus Gundissalinus Schrift* . . ., (Beiträge zur Geschichte der Philosophie des Mittelalters, Band I, Hefte 2—4. Münster, 1895.), p. 126, f. n. 1.

[12] For St. Augustine's definition of *ratio* as an *aspectus animi*, see *De immortalitate animae*, vi. PL: 32, 1026: Ratio est aspectus animi quo per seipsum non per corpus verum intuetur. See also *De quantitate animae*, xxvii. PL: 32, 1065: Ille mentis aspectus quem rationem vocamus . . .

[13] Richard of St. Victor speaks of the two *aspectus* of the soul in *De gratia contemplationis*, I, 3. PL: 196, 67. St. Bonaventure uses this terminology many times. See, for example, his *De donis Spiritus Sancti*, coll. ix, n. 2. Quaracchi edition (hereafter cited as QU): V, 499: Unus aspectus eius est ad coelestia et invisibilia, alius est ad terrena et corruptibilia; ita est etiam duplex affectus animae: unus est aeternorum, et alius est temporalium. Sic est etiam sapientia, quae est desursum, et alia, quae est deorsum.

He also refers to the "eye of the mind", *(oculus mentis)*, — a favorite phrase of St. Augustine and used many times by him to describe the higher part of the reason[15]. St. Bonaventure even fuses another favorite phrase of St. Augustine's, namely, *acies mentis*, with the *intellectus possibilis* of the Aristotelian tradition, and speaks of the *acies intellectus possibilis*[16]. He similarly makes use of the term *facies animae* — a term used by St. Augustine, as well as by Avicenna, Algazel, and Dominicus Gundissalinus in relation to the two parts of the soul[17]. He occasionally uses the term *supremum animae*, a term which bears a faint but unmistakable resemblance to the term *principale mentis* employed by St. Augustine to describe the higher part of the soul and which was ultimately derived, it seems, from the Stoic tradition represented by Poseidonius and Chrysippus[18]. His own favorite terminology, however, was simply *portio superior* and *portio inferior*, as it was also the favorite terminology of St. Albert the Great[19].

St. Bonaventure was, of course, aware of the many terms that had been used and were being used to describe the various powers and functions of the soul, and, in his commentary on the *Sentences*[20], he attempted to arrange them in some kind of a definite order; but, by this time, the terminology had become too complex to be reduced to any fixed meanings, and, in his later writings, he also was forced to use terms in a somewhat different sense than that which he described in this passage in the *Sentences*.

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[14] Alcher, *De spiritu et anima*, vi. PL: 40, 783: Et dividit se ratio in duo, scilicet in seorsum et deorsum: sursum in sapientiam; deorsum in prudentiam. See citation from St. Bonaventure in f. n. 13 (above).

[15] St. Bonaventure, *In III Sent.*, d. 15, a. 2, q. 3, concl. (QU: III, 340): Perturbatio illa solum tangit potentias inferiores et nullo modo tangit oculum mentis . . . Cf. St. Augustine, *De diversis quaest.* LXXXIII, xlvi. PL: 40, 30.

[16] St. Bonaventure, *In II Sent.*, d. 24, p. 1, a. 2, q. 4, ad 5 & 6. (QU: II, 570). Cf. St. Augustine, *De Trinitate*, XII, 14. PL: 42, 1010.

[17] St. Bonaventure, *Comm. in Ecclesiasten*, ch. 8, v. 1 (QU: VI, 65): Facies enim animae est superior portio rationis, qua nata est videre Deum. Hanc faciem commutat solus Deus . . . Cf. Avicenna, *De anima*, I, v. (Venice, 1508), 5 va: Anima nostra habeat duas facies, faciem scilicet deorsum ad corpus . . . et aliam faciem sursum versus principia altissima . . . Algazel (see foot-note 11 above); Gundissalinus, *De anima*, ch. 10 (edited by J. T. Muckle, *Mediaeval Studies*, II: 1940), p. 86: Quae duae vires sive duo intellectus sunt animae rationali quasi duae facies; una quae respiciat deorsum ad regendum suum inferius quod est corpus . . . et aliam qua respiciat sursum ad contemplandum suum superius quod est Deus.

[18] St. Bonaventure, *In II Sent.*, d. 8, p. 2, q. 2, concl. (QU: II, 226): In anima namque humana idem est intimum et supremum; et hoc patet, quia secundum sui supremum maxime approximat Deo, similiter secundum sui intimum; unde quanto magis redit ad interiora, tanto magis ascendit ut unitur aeternis . . . Cf. St. Augustine, *De Trinitate* XIV, 8 (PL: 42, 1044): Nunc vero ad eam iam pervenimus disputationem, ubi principale mentis humane, quo novit Deum vel potest nosse, considerandum suscepimus, ut in eo reperiamus imaginem Dei. Tertullian ascribes the doctrine of the *principale mentis* to the Stoics in his *De anima*, chapter 15 (PL: 2, 668). See also G. Verbeke, *L'Evolution de la doctrine du pneuma du Stoicisme à S. Augustin* (Louvain, 1945), pp. 33 ff.

[19] St. Albert, *Summa theologiae*, II, tr. 15, q. 93, m. 3, sol. (Borgnet edition: 33, 204).

This preliminary sketch of his terminology indicates how bulky and cumbersome the theory of the two parts of the reason had become when St. Bonaventure came to incorporate it into his own philosophical and theological reflections. Far more important, of course, is the actual use he made of it.

II

St. Bonaventure's first extensive treatment of *portio superior* and *portio inferior* occurs in his commentary on the *Sentences* of Peter Lombard, which dates around 1250[21]. Faithful to the tradition of St. Augustine, he insists here that the distinction between the *portio superior* and *portio inferior rationis* is a distinction neither of faculties nor of natures but simply a distinction between functions or dispositions of the intellect. The upper portion of our reason gazes upon the eternal reasons, and, in doing so, it is cleansed, illumined, and made perfect: "purgatur, et illuminatur, et perficitur" — a phrase borrowed, of course, directly from the *De coelesti hierarchia* of pseudo-Dionysius[22]. But the lower portion of our reason, being unable to gaze upon the eternal reasons, turns towards the world of matter, and, as a consequence, is weakened interiorly. In order to carry out properly its function of directing man in his active life, it must draw upon the strength of the *portio superior* and the wisdom which the latter obtains through its contemplation of the eternal reasons. The division between the *portio superior* and *portio inferior* should not, however, be understood in a material sense, as though the reason actually had parts. The reason is but one. As it is turned towards the eternal reasons and interiorly strengthened, it is called the *portio superior*. As it is turned towards the things of the earth and thus weakened, it is called the *portio inferior*[23]. Even the fact that the lower portion of the reason is guided by the higher portion does not argue for a real distinction between the two, for, since our reason is a spiritual faculty, it can reflect upon itself and, consequently, it can be said to exercise dominion over itself without implying any division or interior distinction of parts[24].

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[20] St. Bonaventure, *In II Sent.*, d. 24, p. 1, a. 2, q. 3, concl. (QU: II, 566).

[21] E. Longpré, "St. Bonaventure," in *Dictionnaire d'histoire et de géographie eccl.*, IX, p. 747.

[22] St. Bonaventure, *In II Sent.*, d. 24, p. 1, a. 2, q. 2, concl. (QU: II, 564). Cf. pseudo-Dionysius, *De coelesti hierarchia*, II (Migne: *Patrologiae cursus completus*, series graeca: 3, 165).

[23] St. Bonaventure, *ibid.*

Can the upper portion of the reason, which is so intimately related with the eternal reasons, commit a sin? St. Augustine seems to teach that the higher part of the reason does not sin in itself. It sins only when its gaze is turned away from the eternal reasons through the influence of the lower part of reason[25], and in this point he was following the original teaching of Plotinus, who held that the upper part of the soul was entirely sinless[26]. St. Bonaventure, however, departs somewhat from this notion, asserting that the *portio superior* can sin even without being affected by the action of the *portio inferior*. The judgements of the upper portion of our reason, he writes, can be determined, not only by the light of the eternal laws or by attractions arising from the *portio inferior*, but also by its own natural light, which has been considerably obscured by original sin. Hence, if the *portio superior* follows its own light, it can easily fall into sin. Let us suppose, he continues, that the doctrine of the Holy Trinity is proposed to a certain individual. Now, the object proposed absolutely transcends the powers of man's reason. Consequently, were the *portio superior* to rely only upon its own light in such circumstances, it would have to refuse its assent. It would err and commit a serious sin[27]. At first sight, this teaching seems quite strange; for it is difficult, if not impossible, to see how any sin could be committed under such circumstances. Is it not unreasonable to expect that the "natural man", i. e., man deprived of the light of grace, should accept the doctrine of the Trinity? St. Bonaventure would be among the first to agree. But his point is that, since grace is always present when the mysteries of the faith are proposed[28], a sin would be committed by the reason through refusing this grace and following, instead, its own natural light. Moreover, St. Bonaventure continues, the very powers of reflection which the higher reason possesses are subject to abuse, for it can reflect too much upon itself and thus turn its gaze away from the eternal reasons. When it does this, it literally becomes a law unto itself, instead of seeking guidance from the laws that rule reality[29].

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[24] *Ibid.*, ad 3 (QU: II, 564).

[25] St. Augustine, *De Trinitate*, XII, 12 (PL: 42, 1007).

[26] Plotinus, *Enneads*, I. 1. 12.

[27] St. Bonaventure, *In II Sent.*, d. 24, p. 2, a. 1, q. 1, concl. (QU: II, 575).

[28] St. Bonaventure, *In III Sent.*, d. 25, a. 1, q. 2, ad 6 (QU: III, 541): Divina gratia omnibus praesto erat.

[29] *In II Sent.*, d. 24, p. 2, a. 1, q. 1, ad 4 (QU: II, 575): Ad illud quod

St. Bonaventure's next discussion of the *portio superior* occurs when he takes up *synderesis*. Although Rosenmöller asserts that St. Bonaventure was the first to distinguish the two[30], this had actually been done many times before. As a matter of fact, St. Bonaventure's teaching on this point is practically the same as that of Alexander of Hales (c. 1170—1245), and the arguments which he uses in favor of a real distinction between *portio superior* and *synderesis* greatly resemble the arguments used by his great Franciscan predecessor[31].

Synderesis, St. Bonaventure insists, is a natural, instinctive inclination to the good, whereas the *portio superior* is not instinctive but deliberative, and, for that reason, is closely associated with our power of free choice. Moreover, as an instinctive inclination to good, *synderesis* can be said to be infallible and sinless, whereas the *portio superior* can both err and sin. Finally, the *portio superior rationis* is concerned only with our relation to God; *synderesis*, however, is concerned also with our relation to our neighbour. In summary, then, our *portio superior* is a knowing power whose primary function is to contemplate the eternal reasons, but *synderesis* is a dynamic force of the will directing our entire moral life[32].

The theory of *scientia* and *sapientia*, which played an extremely important part in the historical development of the doctrine of the higher and lower reason, played an important part also in the writings of St. Bonaventure[33]. For St. Bonaventure, however, there were four kinds of science, two of them speculative, two of them practical. Two of them depend on faith, two of them do not. First of all, he writes, there is speculative science based simply on the principles and findings of reason. Then there is practical science based on the principles of the natural law. Added to these are two "supernatural" sciences: the speculative science of the Sacred Scriptures, and the active or practical science contained in the "gift of science" granted by the Holy Spirit[34]. Wisdom is also divided into four types, two of them being natural, two

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obiicitur, quod ratio superior intendit legibus aeternis, dicendum quod iste est actus nobilissimus superioris partis; sed non semper hunc actum exercet, immo etiam intendit sibi et ad se convertitur, et sic potest nimie ad se converti, ac per hoc a Deo averti et deviare a legibus aeternis.

[30] B. Rosenmöller, *Religiöse Erkenntnis nach Bonaventura* (Beiträge zur Geschichte der Philosophie und Theologie des Mittelalters, Band XXV, Hefte 3—4. Münster, 1925), p. 60.

[31] Alexander of Hales, *Summa theologica*, I—II, inq. IV, tract. I, sect. ii, q. 3, c. 2 (QU: II, 493).

[32] St. Bonaventure, *In II Sent.*, d. 39, a. 2, q. 1, sol. (QU: II, 910).

[33] See author's article, "*Ratio Superior* and *Ratio Inferior:* The Historical Background," *The New Scholasticism* XXIX (1955), 1—32.

[34] St. Bonaventure, *In III Sent.*, d. 35, a. 1, q. 2, sol. (QU: III, 776).

of them supernatural. The two natural virtues of wisdom are, first of all, a general knowledge of all things (both human and divine), and, secondly, a profound knowledge of only what is eternal. The first of the supernatural virtues of wisdom is a reverential knowledge of God that inspires worship; the second supernatural wisdom is the highest and most precious form of wisdom, for it consists in an experiential knowledge of God — in the gift of supernatural wisdom itself[35]. The four types of science are proper to the *portio inferior*, the four types of wisdom are proper to the *portio superior*.

Reason, St. Bonaventure adds, has two characteristic movements: one "upwards" to higher causes, another "downwards" to lower causes. "In our inquiries, we may proceed in two ways: either aided by the light of faith, and it is thus that we proceed when we consider higher causes, or aided simply by our own powers of judging, and it is thus that we proceed when we consider inferior natures and causes, acquiring science through our senses and experience[36]." The first type of inquiry, namely that which relies upon the light of faith, is proper to "Doctores Catholici"; the second type is proper to the "Philosophi", who do not look for God when they search for the ultimate causes of things but are instead content with what are actually secondary causes in nature. This latter kind of knowledge must be supplemented by faith and by the action of the *portio superior rationis:* in other words, natural science must be supplemented with supernatural wisdom[37].

It should not, however, be concluded from this passage that St. Bonaventure held that the human reason left unaided by faith could know nothing about God. Such a conclusion will not stand, for he very clearly asserts the contrary in other passages of his works[38]. St. Bonaventure's point here is simply that for absolutely certain and comprehensive knowledge of the relation between God and creation the philosopher must cease being a philosopher and begin to be a theologian. St. Bonaventure is not an anti-intellectualist; he is simply a realist on this point.

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[35] *Ibid.*, d. 35, a. 1, q. 1, concl. (QU: III, 774).

[36] *In II Sent.*, d. 30, a. 1, q. 1 (QU: II, 716): In inquirendo dupliciter potest procedere: aut prout est adiuta radio fidei, et sic procedit aspiciendo ad causas superiores; aut prout iudicio proprio relicta est, et sic procedit inspiciendo ad naturas et causas inferiores: acquirit enim scientiam per viam sensus et experientiae . . .

[37] *Ibid.*

[38] E. g. *De mysterio Trinitatis*, I, a. 3, ad 1 (QU: V, 50): Ipse enim intellectus intra se habet lumen sufficiens ex propria conditione, per quod dubitationem istam longius propulsare et se ab insipientia eripere. The "insipientia" is the "stupidity of atheism". In the same article — in reply to the fourteenth objection — he writes: Si intellectus humanus de natura propria nihil de Deo cognosceret, excusare se posset per ignorantiam (QU: V, 51).

The passage is, however, indicative of a general tendency in St. Bonaventure to transform the natural virtue of *sapientia* as described by St. Augustine into a supernatural virtue. This is also indicated by his position that the supernatural gift of wisdom is the only wisdom that can be called wisdom in the fullest sense of the word[39].

During the years 1253 and 1254, St. Bonaventure composed his famous commentaries on the *Gospel of St. John* and the *Book of Ecclesiastes*. Each contains but a few passing references to the *portio superior* and *portio inferior* — none of them being of any special significance. Far more important to our problem is the *Quaestiones disputatae de scientia Christi*. Its date has not been determined with any exactness, yet it seems clear that it was composed between 1253 when St. Bonaventure was received into the faculty of the University of Paris and 1257 when he left Paris, having been elected Minister General of the Franciscans. In other words, it was composed shortly after his commentary on the *Sentences*[40].

In the immensely important fourth question of this work, "Utrum quidquid a nobis certitudinaliter cognoscitur, cognoscatur in ipsis rationibus aeternis[41]," St. Bonaventure discusses the problem of whether or not all that is known with certainty must somehow be known by means of the eternal reasons. In support of the affirmative position, he cites (among others) Origen, St. Augustine, St. Ambrose, St. Anselm, and Isaac de Stella. One of the affirmative arguments given — without any reference to its source, although it obviously comes from the Augustinian tradition — is as follows: the lower portion of the mind has its origin in the higher portion. Deriving, as it were, its being from the higher portion, the lower portion must also derive its knowledge from it as well. Hence, the knowledge of the eternal reasons possessed by the higher portion is the basis of the knowledge had by the lower portion. As a matter of fact, the argument continues, knowledge of the eternal reasons comes first to the soul and is more connatural to the soul than is knowledge of material, temporal things. The conclusion drawn is that it is impossible for the mind to know anything without being helped by the *portio superior*'s knowledge of the eternal reasons[42]. It is this position, namely, that nothing can be known with certainty unless it is known in light of the eternal reasons, that St. Bonaventure makes his own in the *corpus* of the article. His own central argument, however, is somewhat different. To possess knowledge that is absolutely certain, he states, the element of nobility must be found in both what is known and in the faculty that knows. But no nobility, in the strict sense of the word, can be found in the created things we know, for their very being is changeable, liable to corruption. Moreover, there would be no nobility in a human knower were it not for the *portio superior* of the mind — its higher part, which is a true image of God. Consequently, both of the elements necessary for certitude can be had only when the higher part of the mind knows or defines all created things through the eternal reasons[43].

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[39] *In III Sent.*, d. 35, a. 1, q. 1, concl. (QU: III, 774): Quarto modo dicitur sapientia magis proprie, et sic nominat cognitionem Dei experimentalem; et hoc modo est unum de septem donis Spiritus Sancti.

[40] E. Longpré, *loc. cit.* (See foot-note 21 above).

[41] St. Bonaventure, *Quaest. Disp. de scientia Christi* (QU: V, 17).

[42] *Ibid.*, IV, arg. 27 (QU: V, 20).

St. Bonaventure then makes a significant departure from the neo-Platonic tradition on the value of contemplation. Although he taught, with Plato and Plotinus, that contemplation of the eternal ideas is possible only because the higher part of the soul has a certain affinity with them[44], nevertheless he insists that contemplation itself is not responsible for the soul's further transformation into a more faithful image of God or for the soul's progress in contemplation, as Plato and Plotinus had held. Granting the *portio superior*'s initial likeness to God, St. Bonaventure stresses rather the need of sanctifying grace for any significant advancement in the soul in its way to becoming a "truer" image of God; and, as our *deiformitas* increases — the result of grace — then our knowledge of the eternal ideas becomes more profound. In this sense, *deiformitas* may be said to be an antecedent condition of advanced contemplation according to St. Bonaventure; it is not the result of it as Plato and Plotinus held[45].

Yet no matter how much the *portio superior* advances in its knowledge of the eternal reasons, it never reaches a stage wherein it might be said to have knowledge that is specifically the same as that which it will have when it finally possesses the beatific vision after death. The eternal reasons as known during one's life are in no way to be identified with the divine essence, for what the soul knows directly in this life are simply created terms of God's dynamic influence upon the mind, i. e. special objects or forces guiding the soul to truth[46]. Thus, the knowledge of God possessed by the *portio superior* is always indirect, general, and analogous[47].

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[43] *Ibid.*, IV, concl. (QU: V, 24): Sicut ad plenum iudicium rationis deliberativum in agendis non sufficit portio inferior sine superiori, sic et ad plenum rationis iudicium in speculandis. Haec autem portio superior est illa, in qua est imago Dei, quae et aeternis regulis inhaerescit et per eas quidquid definit certitudinaliter iudicat et definit; et hoc competit ei, in quantum est imago Dei.

[44] Plato, *Republic*, VI, 490 b 4; Plotinus, *Enneads*, IV, 8, 8; III, 8, 6; St. Bonaventure, *Quaest. disp. de scientia Christi*, IV, concl. (QU: V, 24).

[45] St. Bonaventure, *ibid.*

Besides the eternal reasons, St. Bonaventure adds, there is another necessary pre-requisite for knowledge if it is to be absolutely certain. This is a special divine illumination — not a grace, nor the same as God's general influence upon creatures, but a "medium tenens inter utramque viam," enabling the mind to know the eternal reasons. It is granted only to those creatures who are images of God; and man is an image of God precisely because of the *portio superior* of his reason[48].

When St. Bonaventure came to treat the *portio inferior* of the reason in the *De scientia Christi*, he was faced with a special problem. For St. Augustine, whose traditional teaching St. Bonaventure clearly wished to continue, the lower part of the reason had for its object material things with definite relations to space and time. The *scientia* proper to this part of the mind, therefore, was unquestionably a science of the singular; and it was for this reason that St. Augustine placed the knowledge of history in the lower part of the mind but mathematics, which is concerned with universal essences, in the higher part[49]. Now, St. Bonaventure's theory of abstraction precluded a science of the singular. For him science was necessarily a knowledge of what is universal. He thus was forced by the logic of his own position to depart somewhat from the original theory of St. Augustine, but he did so without violating the essentials of St. Augustine's doctrines by simply making the *portio inferior* the seat of universal knowledge that has been abstracted from phantasms, while reserving to the *portio superior* universal knowledge drawn from the eternal reasons themselves[50]. The difference, however, between the *scientia* which is proper to the *portio inferior* in St. Bonaventure and the *scientia* proper to the lower part of the reason in St. Augustine should not be overlooked.

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[46] *Ibid.*, IV, ad 16 (QU: V, 25). See also *In Hexaëm.*, coll. 4, n. 1 (QU:V, 349); *In I Sent.*, d. 17, p. 1, a. 1, q. 4, concl. (QU: I, 301).

[47] For an excellent detailed account of the *rationes aeternae* (beyond the scope of the present paper), see J. M. Bissen, *L'Exemplarisme divin selon saint Bonaventure* (Paris, 1929), p. 218.

[48] *De scientia Christi*, IV, concl. (QU: V, 23) See also E. Gilson, *La philosophie de saint Bonaventure* (Paris, 1943), pp. 274—346.

[49] St. Augustine, *De Trinitate*, XIII, 19 (PL: 42, 1033); XIII, 2 (PL: 42, 999).

[50] St. Bonaventure, *Quaest. disp. de scientia Christi*, IV, concl. (QU: V, 24). Faced with the same problem, St. Thomas solved it in a similar way by making the objects of the *ratio inferior* those things which are made immaterial through the action of the agent intellect, and reserving to the *ratio superior* those things that are immaterial in themselves. See his *De veritate*, q. 15, a. 2, corp., ad finem.

The rest of St. Bonaventure's teaching in the *De scientia Christi* on the nature of the *portio inferior* is in a far more Augustinian vein. All of the judgements of the *portio inferior* are admittedly provisory, because the final judgement with respect to the nature of any created object is reserved to the *portio superior*. In other words, in order to obtain absolute certainty and validity for its judgements, the *portio inferior* must refer all its data to the *portio superior*, which, as it were, re-judges it in light of the eternal reasons[51]. On the other hand, the *portio superior* cannot operate normally without the aid of the *portio inferior*, for the created principles of knowledge possessed by the latter are a necessary means of knowledge. Without these created principles, the mind cannot know at all, unless a special revelation is granted to it[52]. It should be noted that St. Bonaventure assigns even the principles of demonstration to the *portio inferior* on the grounds that taken in themselves they are based upon created existence. Yet, he is careful to add, the principles of demonstration have a double aspect. As related to created existence, they are the object of the *portio inferior*, and thus possess only relative certitude; but in so far as they can be and must be ultimately referred to the eternal reasons, they are the object of the *portio superior*. Then, and then alone, do they possess absolute certitude[53].

But if, as St. Bonaventure admits, absolute certitude can be had only by means of the eternal reasons, how can it be said that the *portio inferior* possesses a degree of certitude sufficient for the Aristotelian concept of science which he had adopted as his own and made a virtue proper to the lower part of the reason? In order to answer this problem, St. Bonaventure again found a solution, which, while not being inconsistent with the broad lines of his own teaching, was nevertheless sufficiently faithful to the concept of science which he had taken over from Aristotle. In a certain sense, he explains, it may be said that through *scientia* the lower part of the reason actually does know the eternal reasons (the created terms of God's action upon the soul), but it does not know them *as* eternal reasons. In the movement of the mind called science, the eternal reasons are actually drawing and leading the mind higher to a gradual realization that it is in the presence of God and under His influence. As long as this realization does not take place, the reason remains at the stage of science, and the certitude which it has, though not absolute, is nevertheless true certitude since it is based on true causes. When the desired realization does take place, however, science is replaced by the contemplative activity known as wisdom or *sapientia*. Scientific certitude is replaced by sapiential certitude. The certitude which the mind formerly had, though adequate in itself, is seen to have been actually *derived* certitude. The knowledge which it now has is based upon absolute being and unchangeable truth[54].

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[51] St. Bonaventure, *ibid.*, IV, ad 12 (QU: V, 25).
[52] *Ibid.*, concl. (QU: V, 24).
[53] *Ibid.*, ad 23 (QU: V, 26).

The most important passages concerning the *portio superior* and *portio inferior* in St. Bonaventure's teaching occur in the *Quaestiones disputatae de scientia Christi* and in his commentary on the *Sentences* — the passages we have studied above. Reading the works that were written after the *De scientia Christi*, one cannot help but be struck by the fact that even the terms *portio superior* and *portio inferior* appear at only rare intervals. In the *Breviloquium*, which was written during the early period of St. Bonaventure's life (around 1254), the terms *portio superior* and *portio inferior* appear only a few times[55]. As a matter of fact, when in this work he comes to treat the infused virtues and their place in the soul, we find St. Bonaventure abandoning the terms *portio superior* and *portio inferior* — the terms he had used in connection with this problem in his commentary on the *Sentences*[56] — and reverting to the older terminology used by Avicenna and John of La Rochelle, namely, *facies superior* and *facies inferior animae*[57]. The *facies superior*, St. Bonaventure writes, is an image of God; but, because of man's fall, it must be corrected through grace and directed more firmly to that after which it is modelled, namely, the Holy Trinity. Elevated thus by grace, its proper virtues are the theological virtues of faith, hope, and charity[58] The *facies inferior* also must be strengthened and corrected by the cardinal virtues of prudence, temperance, fortitude, and justice[59] The basic doctrine, however, is the same as that in St. Bonaventure's commentary on the *Sentences*[60]; only the terminology has been changed.

The magnificent *Itinerarium*, another work written after the commentary on the *Sentences*, similarly contains no extensive treatment of the *portio superior* and *portio inferior rationis*[61]. Only rarely is there an echo of the doctrine, as when St. Bonaventures describes the soul's ascent to God and speaks of "Our mind in which the divine image is reflected . . . where, like a candelabrum, the light of truth is reflected on the surface of the mind, in which the image of the most Blessed Trinity gleams forth[62]." In a later treatise, *De decem praeceptis* (1267), St. Bonaventure again makes no extensive use of the notion of *portio superior* and *portio inferior;* and, even more surprisingly, there is no mention of it in the *De donis Spiritus Sancti* (1268), for in this work there were numerous occasions when a description of the *portio superior* and of its role in the lite of grace and contemplation would surely have been included if St. Bonaventure had considered the *portio superior* and *portio inferior rationis* to be an integral part of his thought[63].

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[54] *Ibid.*, ad 19 (QU: V, 26).

[55] The most important text in the *Breviloquium* occurs in II, 9 (QU: V, 227).

[56] St. Bonaventure, *In II Sent.*, d. 39, a. 2, q. 3 (QU: II, 915); *In III Sent.*, d. 37, a. 2, q. 3 (QU: III, 828).

[57] Avicenna, *De anima*, I, v (Venice, 1508), 5 va; John of La Rochelle, *Summa de anima*, I, ch. 43. (See also footnote 10 above).

[58] St. Bonaventure, *Breviloquium*, V, 4 (QU: V, 256).

[59] *Ibid.*

[60] *In II Sent.*, d. 39, a. 2, q. 3 (QU: II, 915).

In the *Hexaëmeron*, written in 1273, St. Bonaventure seldom mentions the *portio superior* or *portio inferior*, although he does speak of the *acies mentis*, a term which was sometimes used by St. Augustine to signify the higher part of the mind[64]. For example, St. Bonaventure declares that the *acies mentis* must be rectified and strengthened by faith[65]. In the final pages of this work, however, he adopts still another phrase of St. Augustine, and speaks of the *pars inferior* and *pars superior animae* and of the manner in which they are correlated in moral action[66]. Yet these references are merely in passing; and, as a matter of fact, it can be said that in none of the works after the *De scientia Christi* is there anything like an extensive use of the doctrine of *portio superior* and *portio inferior rationis*. The *De scientia Christi*, it must be remembered, was written while St. Bonaventure was still teaching in Paris[67]; hence, it seems that after St. Bonaventure left the academic atmosphere of Paris where the theory of *portio superior* and *portio inferior rationis* was being discussed, he gradually lost his former interest in it.

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[61] The *Itinerarium* seems to have been written around 1259. See E. Longpré, *loc. cit.* (footnote n. 21 above).

[62] *Itinerarium*, c. 2, n. 1 (QU: V, 303): In mentem scilicet nostram, in qua divina relucet imago . . . ubi ad modum candelabri relucet lux veritatis in facie mentis, in qua scilicet resplendet imago beatissimae Trinitatis.

[63] For example, there is no mention of the *portio superior* or *portio inferior* in the description of the three motions of the soul, i. e., towards the body, towards itself, and towards God. See *De donis Spiritus Sancti*, coll. 8, n. 13 (QU: V, 496).

[64] *In Hexaëmeron*, coll. 3, n. 4 (QU: V, 343). Cf. St. Augustine, *De Trinitate*, XII, 14 (PL: 42, 1010).

[65] St. Bonaventure, *In Hexaémeron*, coll. 3, n. 9 (QU: V, 345).

[66] *Ibid.*, coll. 21, n. 8 (QU: V, 432); Cf. St. Augustine, *De duabus animabus*, c. 13 (PL: 32, 1026); *De Trinitate*, XII, 3 (PL: 42, 999).

[67] E. Longpré, *loc. cit.* (footnote n. 21 above).

III

In summary, then, it can be said that although St. Bonaventure was faithful to the essential inspiration of St. Augustine's theory of the lower and higher parts of the reason, he nevertheless extended and modified certain aspects of it. First of all, St. Augustine seems to have stressed the fact that the lower part of the reason, because of its proximity to the appetite, is the ordinary occasion of sin, for, by being too deeply engaged in or absorbed by the objects of sense, it turns the gaze of the higher part of the reason away from God and the eternal truths. St. Bonaventure supplemented this idea by asserting that the *portio superior* can sin of itself: it can prefer its own "light", its private good, to the light of God, which is a common good. The notion of sin as a preference for a private good over a common good is, of course, found in St. Augustine[68]; but for St. Augustine sin seems to have been the result of the higher part of the reason following the lower part — not of the higher part's following its own light, because in St. Augustine's theory, the only light possessed by the higher part of reason was the light it derived from the eternal truths. It is to be regretted that St. Bonaventure never describes the precise nature of the light possessed by the *portio superior*. It is not the light of the abstracting intellect, for the seat of abstract knowledge was not the *portio superior* but, as we have seen, the *portio inferior;* and it is obviously not the special light granted by God to the mind, for this light could hardly be called its own, and it is difficult to see how it could be an occasion of sin.

A second difference between the theory as outlined by St. Augustine and as later developed by St. Bonaventure concerns the nature of the virtue of science, which was proper to the *portio inferior*. St. Bonaventure was faced with an acute problem here, for his notion of science was utterly different from that of St. Augustine, because, like Aristotle, St. Bonaventure demanded of science the certitude found only in abstract principles and in the conclusions drawn from them, whereas for St. Augustine *scientia* meant simply a knowledge of singular contingent events that would gradually lead the mind to wisdom[69]. Furthermore, the certitude that would seem to be essential to an Aristotelian notion of science would in St. Bonaventure's theory have to be drawn from the eternal reasons. Hence, in order to retain the Aristotelian notion of science which he had adopted, it would seem that he would have had to make it a virtue proper to the *portio superior*, for it is the higher part of the reason, not the lower, which knows the eternal reasons; but such a position would, of course, mean abandoning the clear teaching of St. Augustine. St. Bonaventure solved this apparent dilemma, however, by making the certitude proper to science a provisional and relative certitude that becomes absolute only when finally rooted in the eternal reasons — when *scientia* is replaced by *sapientia*. Hence, *scientia* remains a virtue proper to the lower part of the reason. It possesses true certitude, although not the absolute certitude that is proper to *sapientia*[70]. The basic difference, however, between the *scientia* of St. Augustine and that of St. Bonaventure should not be overlooked.

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[68] St. Augustine, *De Trinitate, XII*, 12 (PL: 42, 1007): Cum ergo huic intentioni mentis, quae in rebus temporalibus et corporalibus propter actionis officium ratiocinandi vivacitate versatur, carnalis ille sensus vel animalis ingerit quamdam illecebram fruendi se, id est tamquam bono quodam privato et proprio, non tamquam publico et communi quod est incommutabile bonum ...

[69] For this reason, St. Augustine asserted that the life of Christ, both as written and as lived in time, is an object of *scientia* — in this case, the science of history. Its study will lead us to a sapiential contemplation of the person of Christ, unchangeable and eternal. See his *De Trinitate,* XIII, 19 (PL: 42, 1033—34); XII, 14 (PL: 42, 1010).

It was, perhaps, this point, namely, that according to St. Bonaventure any science with absolute certitude must ultimately be referred to the eternal reasons that prompted Étienne Gilson to write: "Nulle distinction spécifique ne s'introduit chez saint Bonaventure entre notre connaissance théologique du Verbe et notre connaissance philosophique des idées . . .[71]" It is difficult to reconcile this sweeping generalization with not a few texts in St. Bonaventure's writings, some of which we have cited above in connection with the theory of *portio superior* and *portio inferior*, and certainly with a text in the *De scientia Christi* where St. Bonaventure clearly distinguishes natural knowledge from knowledge granted through grace, as well as knowledge had through reason from knowledge had through revelation — and the difference between these types of knowledge is certainly not one degree but of kind[72]. The philosophical knowledge of the ideas possessed by the *portio superior* is distinct from, though decidedly inferior to, the knowledge it has of them through grace and revelation. Philosophy was "scrutabilis notitia certa"; theology was

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[70] Thus St. Bonaventure approves Aristotle's stricture of Plato: Quia despecto mundo sensibili, totam certitudinem cognitionis reducere voluit ad illas ideas; et hoc ponendo, licet videretur stabilire viam sapientiae, quae procedit secundum rationes aeternas, destruebat tamen viam scientiae, quae procedit secundum rationes creatas . . . — *Sermo* IV, n. 18 (QU: V, 572).

[71] E. Gilson, *La philosophie de saint Bonaventure*. Second edition. (Paris, 1943), pp. 132—33.

[72] St. Bonaventure, *De scientia Christi*, IV, concl. (QU: V, 23): Tunc non differret cognitio viae a cognitione patriae, nec cognitio in Verbo a cognitione sapientiae, nec cognitio naturae a cognitione gratiae, nec cognitio rationis a cognitione revelationis; quae omnia cum sint falsa, nullo modo est ista via tenenda.

"credibilis notitia pia" — the truths of philosophy are known, the truths of theology are believed[73].

One final observation remains to be made. In our brief study of the doctrine of *portio superior* and *portio inferior rationis* in St. Bonaventure, we have cited relatively few works from the entire corpus of his works. This restriction has been the result, not of method, but of necessity; for the truth is that St. Bonaventure rarely mentions the *portio superior* and the *portio inferior* in his other writings, even when the nature of these writings would seem to have provided plentiful opportunity for their inclusion.

For example, the important mystical treatises such as *De triplici via (Incendium amoris)* and *Soliloquium de quatuor mentalibus exercitiis* contain no treatment whatsoever of the *portio superior*[74]. What is the reason for this omission? It cannot be said that these works which contain so many long passages on contemplation did not offer any opportunity for discussing the *portio superior*. The first chapter of the *De triplici via*, which treats meditation, as well as the third chapter, which treats contemplation, would have been ideal places for a full treatment of the *portio superior* and its relation to wisdom. But no such treatment appears. The same is true of the *Soliloquium*. The second chapter, "Quomodo anima per mentale exercitium debeat radium contemplationis convertere ad exteriora . . .," and the third chapter, "Quomodo anima per mentale exercitium debeat radium contemplationis convertere ad inferiora," would have been logical places for a development -- or at least a description — of both the *portio superior* and of the *portio inferior*, but neither is found. Again, in the fourth and final chapter of the same work, entitled, "Quomodo anima per mentale exercitium debeat radium contemplationis reflectere ad superiora . . .," there is no mention of the *portio superior* or of any of its historical equivalents, even though the very wording of the subject matter to be treated clearly echoes the ancient doctrine of St. Augustine. The literary character of these writings, that is, the fact that they are treatises on mysticism and not philosophical or theological treatises, might seem to be a sufficient reason to explain why there is no lengthy discussion of the two "parts" of the reason; but it hardly seems a sufficient explanation of why scarcely any mention at all is made of them.

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[73] St. Bonaventure, *De donis Spiritus Sancti*, coll. 4, n. 5 (QU: V, 474): Scientia philosophica nihil aliud est quam veritatis ut scrutabilis notitia certa. Scientia theologica est veritatis ut credibilis notitia pia. For a well-balanced, judicious criticism of E. Gilson's views, see F. Van Steenberghen, *Siger de Brabant* . . . (Louvain, 1942), II, pp. 459—464.

[74] *De triplici via* and the *Soliloquium de quatuor mentalibus exercitiis* can be found in volume VIII of the Quaracchi edition.

The only adequate explanation of these significant omissions would seem to be, then, that St. Bonaventure did not regard the theory of *portio superior* and *portio inferior rationis* as essential. Finding the theory prevalent in the academic milieu of Paris and a common teaching of the *magistri* there[75], he incorporated it into his own teachings but never in such a way as to make it an essential part of them. After he withdrew from the University and from the academic atmosphere of Paris, the theory appears less and less frequently in his writings. When St. Bonaventure did employ the Augustinian theory of *portio superior* and *portio inferior*, however, he assimilated it so successfully into his own thought that, despite the differences between his theory and that of St. Augustine, his own must be considered, by and large, to be a development, not a departure.

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[75] For the authority of the *magistri* at Paris, see M. D. Chenu, O. P., *Introduction à l'étude de saint Thomas d'Aquin* (Paris, 1950), pp. 114 seq.

THE ATOMIC NUCLEUS[1]

In his recent address to the Fourth International Thomistic Congress, His Holiness Pope Pius XII stressed the need of philosophers acquainting themselves with the recent advances in nuclear science. This presents something of a problem for the professional philosopher. For at no time in the long history of science, have we ever witnessed anything comparable to the vast and intensified research, in great part Government subsidized, which is being brought to bear on the study of the atomic nucleus. The primary literature is vast and not always readily available in summary accounts. This survey of nuclear physics then may be of help to the philosopher and of interest to scientists in fields other than physics.

The term nucleus was first introduced by Ernest Rutherford, the "father of nuclear physics", some forty years ago in connection with his most significant discovery, the conception of the atom as comprising a tiny but massive positively charged core surrounded by a very tenuous but relatively extensive electron structure. The development of Rutherford's concept of the atom and its integration with Planck's quantum theory of radiation by men like Bohr, Heisenberg, Dirac and Schroedinger was the principal concern of atomic physics during the first three decades of this century. With its climax in the achievement of a unified theory of quantum mechanics, accounting for the physical and chemical behavior of the atom in both elementary and compound form, the center of the theoretical physicist's interest shifted from the extranuclear electron structure, the domain of atomic physics proper, to the nucleus and the score of "elementary" particles that are born of the heart of the atom. The last twenty years consequently, has witnessed the creation and development of a distinct branch of speculative science known as nuclear physics. Its present status is akin to that of atomic physics before the discovery of quantum mechanics. A great many nuclear phenomena have been studied and classified, but to date no satisfactory theory has been devised for integrating them. Such a theory, to be adequate, should account for what we know of elementary nuclear particles, nuclear reactions and nuclear forces. And until such a theory appear, the material we intend to cover in this paper can be treated under these three topics even though the first and third overlap somewhat.

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[1] Address given at the Fourth National Meeting of Franciscan Sisterhoods, Marian College, Indianapolis, Indiana, November 25—26, 1955.

1. Elementary Nuclear Particles

It might be more exact to speak of the elementary particles of nuclear physics rather than elementary nuclear particles, since the first description implies nothing more than that such particles are objects of study in nuclear physics, whereas the latter designation intimates that the nucleus may be compounded of these elementary entities as a wall is of bricks or cinder-blocks. The latter is only partially correct, if true at all, in the sense that the physicist is wont to distinguish between the nucleons proper (the proton and neutron) which are assumed to retain their general identity within the nucleus as contrasted with neutrinos, electrons, gamma photons and mesons which have only a potential existence there and are created or annihilated in the course of changes of energy states of the nucleons in much the same way as photons are created or annihilated in connection with the energy changes of the electrons in the extranuclear structure of the atom.

Even with this qualification the title is still misleading. For the term "elementary" is used in a purely relative sense. It does not imply invariable stability, for the elementary particles listed by the nuclear scientist are almost all unstable and quickly decay into another elementary form. They are "elementary" only in as much as they do not seem to be composed in the ordinary physical or chemical sense of the word, as we would speak of an atom being composed of a nucleus and electron cloud, or a deutron being composed of a proton and a neutron, or an alpha particle of two neutrons and two protons, and so on.

The term "particle" too may be misleading unless we keep in mind that all of these "elementary entities", at least when treated enmass also exhibit wave characteristics. In fact the clear distinction between a particle and the force which acts upon it breaks down in the realm of nuclear physics. Consequently, we find listed as particles photons of radiant energy as well as certain types of mesons which seem to be a form of nuclear or intimately connected with the forces that bind nucleons together. From the wave aspect it is convenient to conceive of each of the various particles as being associated with a field of force which field may be conveniently treated mathematically in terms of some form of wave-mechanics, that is to say, the intensity, the size and geometric shape of any given field can be described in terms of some mathematical equation. On the other hand, every field of force has its "quanta". That is to say, alterations in the intensity, size or shape of a given field do not take place continuously but by discrete jumps. The familiar example is alteration in the electromagnetic field operative between the nucleus and extranuclear electrons. Any variation in the energy of this system involves the emission or absorption of electromagnetic radiation in the form of energy "bundles" or *quanta*. In the case of the electromagnetic field and electromagnetic energy, the quantum is known as a photon or "light particle". As the late Enrico Fermi put it, "The field theories of other elementary particles are patterned on that of the photon. The assumption is made that for each type of elementary particle there exists an associated field of which the particles are the quanta. In addition to the electromagnetic field an electron-positron field, a nucleon field, several meson fields, etc. are also introduced[2]."

It is meaningless to try and describe or define these elementary particles in such familiar terms as shape, or color, or composition and so on. Instead we define the fundamental particles in terms of five physical constants, mass, electric charge, mean lifetime before decay, spin and magnetic moment[3]. The *mass* is usually expressed in multiples of the mass of the electron and is abbreviated m_e. The electric *charge* is either a positive or negative unit charge or it is zero, i. e. neutral or without charge. The mean *lifetime* is the average time such a particle exists before decaying spontaneously. With the exception of the proton and electron which are stable, most elementary particles exist only for a fraction of a second, the longest lived being the neutron which has a mean lifetime of thirteen minutes. The *spin* of a particle is its inherent angular momentum and may be regarded as due to its rotation on its own axis. It is expressed in half-integral or integral multiples of Planck's constant h, divided by 2π, a plus or minus sign being prefixed to indicate the relative direction of the spin. The *magnetic moment* determines the torque acting on a particle when in a magnetic field. That is to say, in a magnetic field of known intensity, a measurable amount of energy will be required to change the position, let us say, of a compass needle or a bar-magnet depending on the strength or magnetic moment of the needle or bar-magnet. Nuclear particles as a rule behave as tiny magnets. Their magnetic moment is measured in nuclear magnetons, a magneton being equal to 5.05×10^{-24} erg-oersted^{-1}.

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[2] Enrico Fermi, *Elementary Particles*, New Haven, Yale University Press, 1951, p. l.

[3] From the wave-mechanical aspect, elementary particles have another important behavior characteristic known as *intrinsic parity*. Parity is fundamentally a wave-mechanical property of a nucleus or nucleon system which depends on the total angular momentum (combined orbital and spin momentum) of the nucleons (i. e. protons and electrons) and which indicates how the wave function of the system behaves when the signs of the x, y and z coordinates are all reversed or changed from positive to negative (inversion). If the wave function changes signs but not its numerical value upon inversion, the intrinsic parity of the nucleus is said to be odd (or negative), whereas it is even (or positive) if the signs do not change. In as much as the emission or absorption of a particle by the nucleus may affect the parity of the latter, the elementary particles themselves may be said to have an odd or even intrinsic parity accordingly as they change or leave unchanged the parity of the nucleon system. Those of even intrinsic parity are said to be scalar particles; those of odd intrinsic parity, pseudoscalar.

To describe the methods of measuring these quantities in the case of the elementary particles would take us too far afield[4]. We might note however that the spin of a particle is usually inferred from the particle's behavior rather than being measured directly. Particles with a half-integral spins such as the electron, proton, neutron, neutrino and muon are sometimes given the generic name "fermion" whereas those with an integral spin like the photon, or pion are called "bosons"[5].

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[4] See for example, R. M. Tennent, "Finding Out About Fundamental Particles" in *Science News*, 35 (1955), 24—41; H. A. Bethe and F. de Hoffmann, *Mesons and Fields*, vol. 2, Evanston, Ill., Row, Peterson and Co, 1955, also Bethe, "Mesons and Nuclear Forces" in *Physics Today*, vol. 7, n. 2 (Feb. 1954), 7—8.

[5] The names are derived from the particular type of quantum-mechanic statistics used to describe their behavior in a system made up of similar particles. Fermions obey Fermi statistics; bosons, Bose statistics. Those familiar with the Bohr or the quantum mechanical theory of atomic structure will recall the Pauli exclusion principle which forbids any two electrons from occupying the same energy state. Two electrons, in the same atomic orbital, for example, must differ by their spins. Stated in another way the occupied energy states of particles obeying the Pauli principle are all independent, and their wave functions are said to be antisymmetrical, that is to say, the sign of the function changes from plus to minus or the reverse whenever an odd number of particles are added to (or removed from) a system of such particles, whereas it does not change if the change involves an even number. There are fundamental particles other than the electrons which also obey the Pauli principle, for example, neutrinos, mu mesons, protons and neutrons. In 1926 Fermi developed a statistical method for expressing the kinetic energy distribution for systems of particles which cannot occupy the same energy states. Later in the same year Dirac made an important contribution to the quantum-mechanic statistics of Fermi, wherefore they are often referred to as Fermi-Dirac statistics. Two years earlier, Satyandra Nath Bose of Dacca University had discovered that in order to obtain Planck's law of radiation, we must assume that even though photons are not excluded from occupying the same energy state, the probability distribution among the various possible energy

After these general remarks we may say a word about the individual particles whose existence is recognized as sufficiently established at the time of the present writing.

a. Nucleons

Nucleon is the generic name for the proton and neutron which are considered to be the fundamental building blocks of the nucleus. The proton (symbol: p) is the nucleus of a normal hydrogen atom, having a unit positive charge and a mass of 1836.13 times that of the electron. The neutron, as the name implies, has no electrical charge and is slightly more massive than the proton, *viz.* 1838,66 m_e. At first Rutherford believed the proton to be a positive electron but when he realized that it contained almost the total mass of the hydrogen atom, he proposed its present name. At the same time (1920), he predicted the existence of the neutron (symbol: n) but the latter was not discovered until 1932 when Sir J. Chadwick who had worked with Rutherford, was able to prove that a very penetrating type of radiation produced by bombarding parafin with alpha-particles was not an extremely hard gamma-ray but was composed of neutral particles of approximately the mass of the proton. Both proton and neutron are fermions with a half-integral spin. The magnetic moment is 2.79 nuclear magnetons and that of the neutron —1.91. The negative value indicates that the direction of the magnetic moment is opposite to that of the spin. The fact that the magnetic moment of the proton is not 1 and that of the neutron 0 as might be expected from the simple form of the Fermi-Dirac theory is usually attributed to the action of the meson field surrounding the nucleons. The proton is stable, but the neutron apart from the nucleus decays into a proton, plus an electron and a neutrino after about thirteen minutes.

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states is not what one would expect from classical statistics but requires a special mathematical treatment. Bose's quantum-mechanic statistics were immediately extended by Einstein to the study of a monatomic ideal gas. As a result the quantum mechanical formulae needed to express the kinetic energy distribution of a system of particles like the photons is generally referred to as Bose-Einstein statistics. Wolfgang Pauli showed that fermions all have half-integral spins, whereas bosons have integral spins. Consequently, the wave function of a fermion or fermion system will be antisymmetrical, whereas that of a boson or system of bosons will be symmetrical in the sense that any perturbation of the system will leave the + or — sign of the function unchanged. See for instance, Dirac, *Principles of Quantum Mechanics*, 3 ed., Oxford, Clarendon Press, 1947, pp. 207—211; E. Whittaker, *History of the Theories of Aether and Electricity*, vol. 2. Edinburgh, Nelson and Sons, 1954, pp. 219—224; W. Pauli, *Physical Review*, vol. 58 (1940), 716.

In its most simplified form, the nuclei of the various atoms are pictured as being constructed of nucleons from the simplest, that of ordinary hydrogen, consisting of a single proton to the most complex known to date, the artificially produced mendelevium (element number 101) with 256 nucleons[6]. The total number of nucleons gives the mass of the nucleus in atomic mass units[7], whereas the number of protons gives the atomic number. Since the external electron structure responsible for the chemical and physical characteristics of the chemical elements depends upon the atomic number, it is still convenient to designate the nuclei by the symbol of the chemical element to which they belong, adding the total number of nucleons as a superscript. Thus O^{16} indicates a nucleus with eight protons, eight being the atomic number of oxygen, and eight neutrons, whereas O^{18} indicates an isotope of oxygen with ten neutrons. Similarly U^{235} indicates a nucleus of 92 protons and 143 neutrons, whereas U^{238} designates an isotope that differs from uranium 235 by three additional neutrons.

This method of symbolization, however, should not obscure the fact that the nucleus functions as an independent system. Its properties are dependent immediately on the number and kind of nucleons (and their energy state) and are not correlated directly with the chemical properties at all. From the standpoint of nuclear physics, uranium 235 is as radically different from uranium 238 as sodium and chlorine from the chemist's viewpoint.

Though the details of the picture are far from clear, we have every reason to believe that the structure of the nucleus is every bit as complicated as that of the more familiar extranuclear electron structure of the atom. But we shall return to this later. For the present we merely note that two distinct fields of force must be reckoned with in the nucleus[8]. The first is the *electromagnetic* field operative between the charged nucleons (protons). Variation in energy states associated with this field are responsible for the emission or absorption of gamma rays (gamma photons), even as variations in the electromagnetic field associated with the extranuclear electrons is responsible for radiation phenomena in the X-ray, ultra-violet, visible and infra-red portions of the electromagnetic spectrum.

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[6] Physicists generally accept the opinion that the elements in their present abundance have been built up of protons and neutrons. This process of synthesis presumably occurred at much higher temperatures than we find in the normal life of the stars and apparently suddenly broke off when the temperature dropped. Various theories of some kind of primitive "cosmic explosion" have been advanced to explain the genesis of the various elements from some highly compressed "neutron gas", but the question is still far from solved. For a review of various theories and a survey of current literature, see Alpher and Herman, "Theory of the Origin and Relative Abundance Distribution of the Elements" in *Reviews of Modern Physics*, vol. 22 (1950), 153—212; also D. ter Haar, "Cosmogonical Problems and Stellar Energy", *ibid.*, 119 ff., esp. pp. 134—142; G. Gamow, The Creation of the Universe, New York, Viking Press, 1952, esp. chap. 3.

[7] For rough measurements either the proton or the neutron may be taken as the unit of atomic mass (abbr. *a. m. u.*). However, when nucleons unite to form a more complex atomic nucleus the result is a minute loss of mass which is proportional to the stability of the respective nucleus. For the purpose of more precise measurement one sixteenth of the mass of the most common isotope of Oxygen (O^{16}) is used as the unit of atomic mass. 1 a. m. u. $= 1.6603 \times 10^{-24}$. The energy equivalent of 1 a. m. u. is 931.8 Mev (million electron volts), one electron volt being equivalent to 1.602×10^{-12} ergs.

Secondly, there is the *nuclear field* proper. This is created by the nuclear forces (of which we shall speak later) which are of a distinct nature than the electromagnetic forces. The former operate between nucleons independently of whether they are electrically charged or neutral. Variations in the nuclear field seems responsible for the productions of electrons (positive and negative), mesons and neutrinos (of which we shall speak shortly).

b. Positive and Negative Electrons

The ordinary or negative electron, also called a negatron (symbol: e^-, β, or β^-), is the unit of negative electricity. Identified by J. J. Thomson in 1897 as the particle that makes up cathode rays, the electron's charge was first measured accurately by R. A. Millikan using the oil-drop method. Recent refinements of measurement place its value at 4.8025×10^{-10} e. s. u. The electron has a rest mass of about 9.1066×10^{-28} grams. According to the theory of relativity, mass increases with velocity. In the case of the relatively light electron, which can be accelerated to velocities approaching that of light, this relativistic increase may cause the electron to have a mass many hundreds of times its rest mass. The electron is sometimes called a beta-particle, because it is emitted by the nuclei of certain radioactive isotopes (beta-emitters). This creates a problem, for as we said above, the electron does not seem to exist as such in the nucleus. If it did, it should contribute its magnetic moment and spin to the nucleus which is contrary to the evidence at hand. Furthermore, an electron confined to such a small space would have a tremendous kinetic energy (up to 10^8 electron volts), which is not in accord with our present knowledge of the nucleus. Yet the study of Wilson cloud-chamber photographs indicates that the electron to all appearance is violently ejected from radioactive nuclei which recoil in the process. Fermi suggested the now generally accepted theory that just as the photon does not exist as such in the atom, but is emitted when electrons change energy levels, so in like manner the electron (and a neutrino) are formed and emitted when the nucleus undergoes a beta-transformation.

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[8] For practical purposes we may ignore the gravitational field of force which operates between nucleons by reason of their mass.

In 1932 Carl Anderson, studying the effects of cosmic radiation, discovered the positive electron or *positron* (symbol β^+ or e^+). It appears to have the same mass as the negative electron or negatron but has an opposite or positive unit charge. Both positive and negative electrons are fermions with a half integral spin. They also possess a magnetic moment of approximately 1837 nuclear magnetons, which value is also known as the Bohr magneton[9].

Artifically radioactive nuclei in contrast to naturally radioactive isotopes, often return to a stable state by emitting a positive electron. Hence, we speak of both positive and negative beta-rays and beta-emitters. Gamma rays with energies of more than 10^6 electron volts such as secondary cosmic rays, interacting with the nuclear field of a heavy atom such as lead, produce a negative and positive electron, the process being known as electron-pair production. The positron is short-lived. It unites with a nearby electron in what is the reverse of the pair production process and is transformed into two gamma photons with a combined energy of 10^6 electron volts according to Einstein's mass-energy equation $E = mc^2$, where E is the energy in ergs, m the mass in grams and c the velocity of light in centimeters per second.

Dirac predicted the existence of the positive electron two years before its discovery by Anderson. According to Dirac's "hole" theory, negative energy states are possible for the electron, that is to say, energy levels that are less than those characteristic of the electron in a free state or even when bound in the atom. To meet the objection that electrons would be disappearing into these unobservable negative states, Dirac suggested that normally all these states are filled with electrons, and hence, according to the Pauli exclusion principle, could not be occupied. But when a high energy gamma ray raises one of these otherwise unobservable electrons from a negative to a positive energy state, the impression of the creation of an electron is produced. Immediately the other electrons drop into the vacant energy level in cascade fashion producing the effect of a "positive electron". The effect is similar to that of a bubble of air rising in a glass of water. The bubble, which is a kind of a "hole" in the water, is moved upward by being successively displaced by the heavier liquid. The same effect would take place if the gas bubble were a vacuum instead of a substance lighter than water.

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[9] Recent experiments indicate that the magnetic moment of the electron is actually 0.13% larger than the Bohr magneton, which is usually explained by attributing to the electron an intrinsic magnetic moment in addition to that associated with the rotating charge. Cf. e. g. W. Finkelnburg, *Atomic Physics*, N. Y., McGraw-Hill, 1950, p. 36.

c. Gamma photons

As we mentioned at the outset of this article, radiant energy (or electromagnetic radiation) has both a particle and a wave aspect. The former becomes particularly important when we enter the realm investigated by the nuclear physicist. The photon or quantum of light or electromagnetic energy is sometimes classified among the elementary particles of the nuclear physicist. Depending on the frequency of electromagnetic waves, photons differ in energy according to the formula

$$E = h\nu$$

where E is the energy measured in ergs, h is Planck's constant[10] and ν the frequency per second. On this basis, the photons with the greatest energy are the very hard (i. e. very energetic and highly penetrating) gamma rays including those which make up secondary cosmic rays[11]. Next in order come the photons of X-rays, ultra-violet, visible light, infra-red, short and long radio waves. The photons of lesser energy (ultra-violet, visible light and beyond) are produced by energy changes usually associated with the valence or outer electron structure of atom, or molecules. X-rays are produced by the energy changes of the inner planetary electrons of the heavier atoms. But gamma rays including secondary cosmic rays involve variations in the nuclear electromagnetic field arising between charged nucleons. When particles within the nucleus are excited, they move into different energy levels in much the same way as extranuclear electrons do. This results in the absorption or emission of gamma rays. Just as the absorption of sufficient energy by a extranuclear electron may cause it to leave the atom entirely (the photoelectric effect), as happens for example, when light falls on a photoelectric "eye", so also the absorption of a gamma photon by the nucleus may result in driving out a nucleon. This is known as the nuclear photoelectric effect. Hence, the nuclear reactions induced by gamma photons are treated in the same category as those produced by other particles such as the proton, deutron, alpha-particle, etc.

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[10] 6.624×10^{-27} erg-second.

[11] Primary cosmic rays are not electromagnetic radiation but streams of electrically charged particles, mostly protons.

As a particle, the gamma photon (symbol: y) obeys the Bose-Einstein statistics and hence is a "boson". As such it is considered to have an integral spin of one.

As mentioned above, gamma photons with energies in excess of a hundred thousand electron volts can be transformed into electron-positron pairs. Conversely, the positron can unite with another electron and from the annihilation of the pair two gamma ray photons with a combined energy of 10^6 electron-volts are formed. This process can be repeated over and over several times until the high energy photon has been transformed into softer gamma rays, whose energy is eventually dissipated by ionization of the atoms and molecules of the surrounding medium.

d. Neutrino and Antineutrino

The existence of the neutrino (symbol: ν) was first postulated to preserve the laws of conservation of spin and energy in radioactive disintegration processes but recently some experimental confirmation of its existence has been found[12]. Radioactive substances emitting alpha particles impart to them definite energies corresponding to the nuclear energy level the nucleons are in at the time the particle is ejected. Beta-particles, on the contrary, are emitted with all possible velocities. This is not readily understandable, if we grant that radioactivity is caused by an unstable nucleus passing from one definite excited energy state to a lower or more stable level. In order to account for this discrepancy, it was assumed that an electron or beta particle emitter releases a neutrino with the electron. Its rest mass is less than $^1/_{300}$ of the electron and probably zero and it possesses no electrical charge. Otherwise it would be detected in cloud chamber photographs of beta-emitters. In addition, if the neutrino is assumed to have one half-integral spin like the electron, it does away with another difficulty. Nuclei of odd atomic weight have a one half-integral spin. Now if such a nucleus were to emit a beta-particle or electron with zero atomic weight and a half-integral spin, we should expect to find that the remaining nucleus would still have an odd atomic weight but would now possess an integral spin. Such, however, is not the case. This is intelligible only if we presume that the departing neutrino as well as the electron carries a half-integral spin, for since their total or combined spin will be a full integral, the odd atomic mass nucleus will still possess a half-integral spin.

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[12] The main evidence for the existence of the neutrino is found in the recoil phenomena accompanying beta-decay. Cloud chamber photographs reveal that the recoil af a nucleus when a slow energy electron is emitted, is much greater than expected if the electron alone is emitted and not a high energy neutrino also. More recently, large-volume liquid scintillators have revealed further evidence of the elusive neutrino. Cf. Harrison, Cowan and Reines, "Large-volume Liquid Scintillators: Their Applications" in *Nucleonics* vol. 12 n. 3 (March, 1954), 51—53.

An unstable nucleus with an excess positive charge can become stable in one of two ways. Either it emits a positron, or it can neutralize this positive charge by obtaining an electron from the nearest extra-nuclear electron shell (viz. the K shell). In the latter case we have what is called the "K-capture". The hole left in the K shell is filled by a transition of electrons from the outer shell producing X-rays which reveal the existence of the K-capture. In spite of the fact that the electron absorbed has a half-integral spin, the total spin of the nucleus does not change by a half-integral. The principle of spin conversation would require either the ejection or capture of a neutrino. It is highly improbable however that a neutrino should just happen to be absorbed simultaneously with the K electron. More probable is the assumption that a neutrino is emitted when the electron is absorbed. The same is true if the alternative of the K-capture, viz. the emission of a positron takes place. To distinguish the neutrino emitted with the positron, or associated with the K-capture, from its mirror image, the neutrino associated with ordinary beta particle or negative electron emission the former is called an anti-neutrino (symbol: $\bar{\nu}$).

e. Mesons and Hyperons

Mesons are so called because in the scale of relative mass they occupy an intermediate position between the nucleons and the electrons. They fall into two generic classes, light mesons known as *L-mesons*, and a heavier variety known as *K-mesons*. *Hyperon* is a generic name given to a heavier type which is intermediate in mass between that of the nucleon and the deuteron[13].

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[13] This classification was introduced at the International Congress on Cosmic Radiation held at Bagnères-de-Bigorre in the south of France July, 1953. Cf. E. Amaldi, etc. *Physics Today*, vol. 6, n. 12 (Dec. 1953), 24—26. For further modifications and extensions of the basic terminology introduced at this Congress, see *Proceedings of the 1954 Glasgow Conference on Nuclear and Meson Physics*, edited by Bellamy and Moorhouse, London, Pergamon Press, 1955, (see also the report on the Conference by K. G. McNeill, Nucleonics, vol. 12, n. 9, Sept. 1954, 46—49); *Proceedings of the Fourth Annual Rochester Conference on High Energy Nuclear Physics* (1954), edited by the Department of Physics, University of Rochester, p. 91; as well as the *Proceedings of the Fifth Annual Rochester Conference*, sections IV and V. See also, Bethe and de Hoffmann, *op. cit.*; P. E. Hodgson, "Fundamental Particles: The Present Position" in *Science News*, 31 (1954), 49—68, Leprince-Ringuet, "Mesons and Heavy Unstable Particles in Cosmic Rays" in *Annual Review of Nuclear Science*, vol. 3 (1953), 39—66; Dilworth, Occhialini and Scarsi, "Heavy Mesons", *ibid.*, vol. 4 (1954), 271—311.

Mesons and hyperons were first discovered while investigating the effects of the bombardement of nuclei by primary cosmic rays. But with the construction of high energy particle accelerators like the cosmotron or proton synchroton it is possible to produce them artificially. The cost of these machines becomes prohibitive however for imparting energies to protons in excess of 30,000 Mev. (million electron volts)[14], so that even the most powerful of these machines in operation or under construction at present cannot produce particles with energies comparable to those which make up primary cosmic rays where energies of thirty million Mev. have been reported. For this reason, the study of cosmic rays has played a major role in the development of what is known as "meson physics". Nevertheless, the atom smashers like the proton synchroton, despite the lower energies of the particles they produce, have the advantage of producing mesons and hyperons under accurately controlled conditions.

From a phenomenological viewpoint mesons and hyperons are classified on the basis of their method of decay as S-events and V-events. The former indicates that the decay occurs only after the meson or hyperon has been stopped (hence the S) in a cloud chamber or photographic emulsion. The V-events are those which can be interpreted as the decay of a K-meson or hyperon in flight. They are subdivided into V^0 and $V^\pm$ depending on whether the initial or primary particle is neutral or charged. In a neutral V-event, the two charged secondaries into which the invisible primary particle decays form two visible tracks in the cloud chamber that look like an inverted V. The decay can be shown to be spontaneous and not due to any collision. Where the primary meson or hyperon is charged, its path in the cloud chamber is visible and the V is formed when the initial particle decays into a charged and neutral secondary, only the former leaving a visible track that angles away from the first track to form a broad V.

A rather bewildering number of mesons and hyperons have been discovered to date, and with thousands of research workers probing this area of nuclear physics, it is understandable that any attempt at detailed classification is apt to be antiquated long before it is printed. In the following, we have listed those which have been generally recognized and accepted by the physicists at the Fifth Annual Rochester Conference on High Energy Nuclear Physics held at the beginning of this year (January 31 — February 2, 1955).

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[14] Cf. J. P. Blewett, "Recent Developments in Proton Synchrotrons" in *Annual Review of Nuclear Science*, vol. 4 (1954), 8.

L-mesons

While the various species of hyperons are designated by capital Greek letters, small Greek letters are reserved for mesons (whether heavy or light). The light or L-mesons include the familiar pi (π) and mu (μ) mesons. Already in 1935 the Japanese physicist Hideki Yukawa, who developed and extended Heisenberg's suggestion that the binding of nucleons can be explained in terms of exchange forces, postulated that particles several hundred times the mass of the electron were involved and that they could be regarded as the quanta of the nuclear field even as photons are the quanta of the electromagnetic field. Unlike the electrically neutral photons, however, the Yukawa particles should also exist in negative and positive forms. In 1936 when C. D. Anderson and S. H. Neddermeyer of the California Institute of Technology and J. C. Street and E. C. Stevenson of the Havard University discovered the first mesons, it seemed that Yukawa's predictions were verified. Further investigation, however, revealed that these mesons (now known as mu mesons) though positively and negatively charged and of approximately the predicted mass strangely enough showed no affinity for nucleons as the Yukawa particle should. Nevertheless, attempts continued for over a decade to connect the two until in 1947 a group of Italian physicists M. Conversi, O. Piccioni and E. Pancini demonstrated that the cosmic ray meson had even less interaction with the nucleus than suspected and could by no stretch of the imagination be the Yukawa particle. A few months later the puzzle was solved when G. P. S. Occhialini, C. F. Powell and C. M. C. Lattes in Bristol, England, discovered that the mu meson is really a secondary meson which results from the decay of a primary meson which they labeled π. The latter fulfilled Yukawa's dream. It interacted strongly with the nucleus, being easily scattered and readily absorbed by the latter. And because it was generally accepted by physicists to be the particle which transmits nuclear force, it became the subject of an intensitive study unprecedented in the history of physics, and together with the mu meson constitutes the chief object of the youngest branch of the physical sciences known as "meson physics".

The principal properties of the pi and mu mesons, consequently, are rather well known and may be summed up briefly as fellows.

The *pi meson*, or pion as it is sometimes called, occurs in a neutral (π^0) as well as in positive (π^+) and negative forms (π^-). The charge of the negative pion is that of the electron, that of the positive pion is the same as the proton charge, as may be inferred from the fact that when a charged pion interacts with a proton or deuteron, the products of the reaction reveal that the electrical charge is conserved. For instance, a positive pion and deuteron yield two protons, and vice versa. A negative pion plus a deuteron yield two neutrons and a gamma photon, and with a proton such a pion may yield either a neutron and a neutral pion, or a neutron and gamma radiation. Electrically neutral mesons, of course, lack the ionizing power of the charged variety and cannot be observed directly in cloud or bubble chambers[15] like the latter. Their existence is inferred, however, from their decay into two gamma rays. The mass of the charged variety can be determined from the deflection in a magnetic field and appears to be the same (within the margin of observational error) for both π^+ and π^-, namely $273.3 \pm 0.2\ m_e$. The mass measurements of π^0 are understandably less accurate, being inferred from the energies of the two gamma decay products, or more precisely from the mass difference in the reactions

$$\pi^- + \text{p (proton)} \rightarrow \text{n (neutron)} + \pi^0$$

Measurements such as these indicate that neutral pion is between nine and ten electron masses lighter than the charged variety. The increased mass of the latter is usually attributed to the self-energy which results from the interaction of the electric charge of the pion with the electric field applied to the cloud chamber.

The lifetime of the charged variety is of the order of 10^{-8} seconds, which is very long compared to that characteristic of most subatomic phenomena. This means practically that where the meson has been accelerated to velocities approaching the speed of light, it may travel as much as ten feet before decaying, which permits a rather accurate measurement and study of its properties. Jakobson (1951) gives 2.55×10^{-8} seconds as the mean lifetime of the positive pion. The negative is somewhat more difficult to determine as it will be readily captured by the positive nuclei if any atoms be present. Measurements, however, indicate that it is the same as that of the positive variety within the limits of observational error. The neutral variety has a short life which is difficult to determine with any great accuracy, but is estimated to be around 5×10^{-15} seconds (Anand, 1953)[16].

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[15] For details of the new Glaser bubble chamber technique, see D. A. Glaser and D. C. Rahn, "Characteristics of Bubble Chambers" in *Phys. Rev.*, vol. 97 (1955), 474—479; D. A. Glaser, "Progress Report on the Development of Bubble Chambers" in *Nuovo Cimento*, vol. 11, ser. 9, Suppl. 2 (1954), 361—368; *idem*, "The Bubble Chamber" in *Scientific American*, vol. 192 (1955), 46—50; R. H. Hildebrand, "Observation of Nuclear Events in Glaser Bubble Chambers" in *Proc. of Glasgow Conference*, pp. 311—314.

[16] M. J. Jakobson, A. G. Schulz and J. Steinberger, *Phys. Rev.*, vol. 81 (1951), 894; B. M. Anand, *Proceedings of the Royal Society*, vol. A 220 (1953), 183.

While the neutral pion decays into two gamma rays, as we have indicated, the charged variety disintegrates into a mu meson of similar charge. It was this fact that led to the discovery of the pi meson by Lattes, Occhialini and Powell. The mass of the mu meson is less than that of the pion, and the conservation of mass-energy demands that this difference in mass appear in the form of kinetic energy imparted to the decay products. Experimental evidence, however, indicates that the muon has less energy than expected, and hence another invisible or electrically neutral product must be involved in the decay. Since the energy the mu received by reason of the decay remains constant, only one other decay product need be postulated. It is not a gamma photon, for the latter would cause electron pairs or showers which could be readily detected. Furthermore, the energy and momentum conversation laws require that it have a zero mass, or at most a few electron masses. Consequently, it is assumed to be a neutrino and the decay scheme of the pion can be written thus

$$\pi^+ \rightarrow \mu^+ + \nu$$
$$\pi^- \rightarrow \mu^- + \nu$$

The *mu meson*, or muon, occurs only in positive and negative varieties, so far as we know. The charge in both cases is unitary. The mass, which can be determined by several methods[17], lies close to $206.9\ m_e$. The lifetime has been measured with great accuracy to be $2.22 \pm 0.02 \times 10^{-6}$ seconds. Both positive and negative muons are known to decay with the emission of electrons. Since the energy spectrum of the decay electrons is continuous, that is without any fixed value as in the case of the decay products of the pion, additional electrically neutral decay products must be involved. Furthermore, whereas pions are bosons with a zero or integral spin, the muons like electrons or neutrinos are fermions with half-integral spin, and the decay scheme must account for conservation of spin. All these requirements are best satisfied if we assume that two neutrinos are involved in muon decay. Hence the accepted scheme is

$$\mu^+ \rightarrow e^+ + 2\nu$$
$$\mu^- \rightarrow e^- + 2\nu$$

Since negative pions and muons could be called "heavy electrons", it is not surprising that they can be made to replace electrons in the outer orbits of an atom. These atoms which consist of an ordinary nucleus, a negative meson and some electrons are known as *mesic atoms*. They are formed by the capture of the meson in an outer orbit followed by an energy loss either through radiation or through the ejection of an electron from the atom, the latter being known as the Auger process. Since the increased mass of the meson has the effect of making the radius of the Bohr orbit for the meson much smaller than the corresponding electron orbit for the same quantum number, the electrons will lie outside the meson orbit and have negligible influence upon the same so that the meson energy levels can be computed with a fair degree of accuracy by assuming the mesic atom resembles the hydrogen atom, or singly ionized helium, doubly ionized lithium, etc. Since the pi meson interacts strongly with the nucleus, it can be captured by the latter, in which case a proton in the nucleus will be transformed into a neutron and the mass-energy of the pion will normally be converted into kinetic energy of the nucleus causing further nuclear reactions. The muon, unlike the pion, is not strongly coupled to the nucleon, so that it will not be absorbed by the nucleus once a mu-mesic atom is formed. The mu-meson as part of the atom is an extremely useful tool for exploring the electric field near the nucleus. Deviations from the pure Coulomb potential in this field are increased by virtue of the meson's greater mass. Since the finite size of the nucleus is one of the factors responsible for this deviation, mu-mesic atoms can be used to obtain more accurate measurements of the nuclear radius. One of the first results of such investigation was to show that the nuclear radius is about 15% smaller than previously believed. Also other characteristics of nuclei can be learned from the study of mu-mesic atoms, for instance, vacuum polarization in the neighborhood of the nucleus which is responsible for another deviation in the Coulomb potential.

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[17] E. g., the range and momenta relative to the pion, the study of the electron decay spectrum, or of the energies of X-rays emitted between two Bohr orbits in a mesic atom. H. A. Bethe and F. de Hoffmann, *op. cit.*, p. 365; R. E. Marshak, *Meson Physics*, N. Y., McGraw-Hill, 1952, p. 203.

K-mesons

The heavy or K-mesons are those whose masses lie midway between of the pi meson and the nucleon. As a matter of fact, the K-meson mass lies generally in the neighborhood of one half the nucleon mass. Study of photographic emulsions exposed to primary cosmic-rays or those of proton synchrotrons like the 3 Bev Brookhaven cosmotron and the new 6 Bev. bevatron at the Radiation Laboratory of the University of California reveal a rather disconcerting variety of K-mesons. In many cases it is difficult to distinguish one type from another. Usually the individual varieties are denoted by small Greek letters such as the tau

(τ) and theta (θ) mesons, but they may also be designated by the group name with a subscript describing the decay product, especially when they are not fully identified. Thus K_e indicates a K-meson that decays into an electron, K_μ and K_π denote heavy mesons that decay into muons and pions respectively. Sometimes an additional number is added to show the total number of decay products. Thus $K_{\pi 2}$ indicates a heavy meson with two decay products, one of which is pion. Without claiming the list complete, nuclear physicists generally include the following in their scientific census of K-mesons: the tau, the theta, the K-pi-two, the K-mu-two, the K-mu-three and the K-e-three meson.

The tau meson (τ), first discovered in 1949, is the most investigated of all the K-mesons and hyperons. Its mass is about 1000 m_e. It occurs in both positive and negative forms, the former variety, however, appears in far greater abundance, presumably because of the greater likelihood of the negative tau being absorbed by the positively charged nuclei. Since the decay products are always coplanar, their momenta adding up to zero, we can infer that no additional neutral particle is emitted. The mass can be computed directly from the measurement of the length of the primary tracks, but a more accurate method is to estimate it from the masses and kinetic energies (75 ± 0.2) of the decay products. This yields the result of 967 ± 1 m_e. The spin is integral, and the tau consequently is a boson. The decay scheme observed is

$$\tau^+ \rightarrow 2\pi^+ + \pi^-$$

although theoretical reasons (e. g. the theorem of charge independence) indicate an alternate mode of decay should be possible

$$\tau^+ \rightarrow \pi^+ + 2\pi^0$$

Similarly, the decay pattern of the negative tau would be

$$\tau^- \rightarrow 2\pi^- + \pi^+$$

or

$$\tau^- \rightarrow \pi^- + 2\pi^0$$

The lifetime is estimated to be around 5×10^{-9} seconds. Most tau-mesons observed decay at rest rather than in flight. Their production too seems to be the direct result of nuclear collisions and not of the decay of heavier particles or hyperons. Though some anomalous decay events have been interpreted as the result of a neutral tau, it is not yet clearly evident that the particle in question is not a neutral theta.

Next to the tau, the *neutral theta* (θ^0) seems the best established of the K-mesons. It decays into two oppositely charged pions with a total decay energy of 214 ± 5 Mev. Hence, the mass of the theta is 965 ± 10 m_e. The lifetime is measured at 2×10^{-10} seconds. An alternative mode of decay of the theta into two neutral pions should be possible. Because the mass of the neutral theta is close to that of the tau, some tend to consider it the neutral counterpart of the latter. However, the fact that one decays into three, the other into two pions seems to imply essentially different characteristics[18].

Recently there seems to be some evidence for a positive theta which decays into a positive and a neutral pion[19]. If it exists, perhaps it is responsible for some of the charged V-events that occur.

Reasonably certain too is the existence of the *K-pi-two* ($K_{\pi 2}$) meson, also known as the chi (χ) or charged theta ($\theta^{\pm}$), at least in its positive form, though there is also considerable circumstantial evidence for the negative variety also. The particle decays into a pion of the same charge plus a neutral pion. The mass is about 952 m_e and the decay energy 212 Mev. There is some doubt about the lifetime, which is estimated to be not much shorter than 10^{-9} seconds, possibly 10^{-8}.[20] The particle is believed to be a boson with an integral spin.

The *K-mu-two* ($K_{\mu 2}$) was discovered only last year at Paris[21] and given its present provisional designation. The accepted decay scheme is

$$K_{\mu 2}{}^{+} \rightarrow \mu^{+} + \nu$$

That the observable secondary is a muon rather than a pion is inferred from the fact that it manifests no strong interaction with nuclei. Also mass measurements are too for a pion. The neutral particle is not a neutral pion since no gamma ray showers are observed. Also the observed mass measurements do not allow for a particle that heavy. It seems, therefore, to be a neutrino. There is some uncertainty about the decay energy (235—255 Mev) and consequently about the mass (920—960m_e). This uncertainty assumes some importance when it comes to distinguishing the particle from other K-mesons of similar mass[22]. Since the spin must be conserved and the decay products have each a half-integral spin, the K-mu-two should be a boson.

The K-mu-three ($K_{\mu 3}$), formerly known as the *kappa* meson, is so called because its presumed decay is a muon plus two or more neutral particles. Because of the variable energy of the observed muon, a three particle rather than a two particle product is postulated. The mass, estimated from the highest energy muons emitted, seems to be about 1000 or more m_e. It has been suggested that this meson may represent simply an alternate mode of decay of the K-pi-two. If the three-body decay scheme is correct, however, the K-mu-three would not be a boson but a fermion.

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[18] We mentioned earlier (note 3) that parity can also be considered a distinguishing characteristic of elementary particles. The decay of the tau into three pions is best understood theoretically if the tau has an even spin and odd parity, where as to decay into two, the theta should have either even spin and even parity, or odd spin and odd parity. Evidence argues to the former, in which case the theta is a boson.

[19] A. L. Hodson, et alii, in *Phys. Rev.*, vol. 96 (1954), 1089.

[20] Cf. *Proc. of Fifth Annual Rochester Conference* (1954), pp. 124, 129.

[21] B. P. Gregory, Lagarrique, Leprince-Rinquet, Mueller and Peyrou in *Nuovo Cimento*, vol. 11 (1954) 292.

[22] Cf. *Proc. Fifth An. Rochester Conf.*, pp. 124, 127.

The *K-e meson* (also K_{e3}) is so called because the heavy meson has only one electron as its decay product, but the variable energies of the latter argue to a three body decay. Hence, the proposed decay scheme is

$$K_{e3} \rightarrow e + 2 \text{ neutrals}$$

The latter are probably neutrinos. Like the preceding, then, this should be a boson.

Other K-mesons have been reported, notably one with a mass of about 1400 m_e whose decay products have not been studied[23], and also one with a mass abound 1200 m_e which decays into a light secondary particle of high momentum[24].

Hyperons

Hyperon, or Y-particle (from the Greek Ὕπερον) is an "elementary" particle with a mass greater than that of the nucleon. The various kinds are designated by capital Greek letters. Because they were responsible for the first observed V-events, they were formerly called V-particles. Like the nucleons, the hyperons known so far are fermions with half-integral spins. Like the nucleons, they apparently exert nuclear forces and are presumably capable of emitting virtual pi mesons which are strongly coupled to them in the same way as pions and nucleons are coupled. Consequently, it is not surprising to find that before a hyperon disintegrates, it may momentarily unite with the nuclei of atoms, the binding energy of the hyperon being of the same general order as that of the nucleon. Because of this similarity nuclear physicists find it convenient to give the common name *baryon* (i. e. a heavy particle) to nucleons and hyperons.

First found among cosmic ray phenomena, hyperons can now be produced artificially. The pioneer work in this field has been done with the Brookhaven cosmotron, where 1.37 Bev. beam of negative pi-mesons was used to bombard a hydrogen filled cloud chamber. The high-energy pions would unite with the protons to form neutral lambda plus a neutral K-meson (presumably a neutral theta).

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[23] Dilworth, Occhialini and Scarsi, "Heavy Mesons" in *Annual Review of Nuclear Science*, vol. 4 (1954), 271—311.
[24] *Ibid.*, 309.

$$p + \pi^- \rightarrow \Lambda^0 + \theta^0$$

The neutral *lambda* (Δ^0) is the best investigated of the hyperons. It decays after a lifetime of $3.86 \pm 0.75 \times 10^{-10}$ seconds into a proton and negative pion with a decay energy of 37 Mev. The charge symmetry principle suggests that the decay products could also be a neutron and a neutral pion. To account for certain anomalies in the decay energy values observed in a few instances, an alternative decay scheme is assumed to exist according to which the lambda produces a proton plus a muon and a neutrino. The mass of the lambda is 2180 m_e.

The charged counterpart of the lambda[25] is the *sigma* hyperon ($\Sigma^{\pm}$) with an observed mass of 2327 m_e for the positive variety and 2325 m_e for the negative. After a lifetime of something less than 10^{-10} seconds, it decays in either of two ways.

$$\Sigma^{\pm} \rightarrow n + \pi^{\pm} + 110 \text{ Mev.}$$

$$\Sigma^{\pm} \rightarrow p + \pi^{\pm} + 116 \text{ Mev.}$$

Finally, there is the negative *xi* hyperon (Ξ^-) known sometimes as the cascade particle because it decays only through a two step cascade into a neutral lambda and negative pion. The decay energy is about 60 Mev., making its mass about 2570 m_e. The lifetime seems to be of the order of 10^{-10} seconds.

f. Anti-particles

Current theories of electrically charged particles have what is known as a symmetry property. That is to say, for each charged particle a counterpart with similar properties but of the opposite sign should exist. It was on the basis of such a theory that Dirac predicted the existence of the anti-electron or positron. Other particles obeying a Dirac-like equation such as the proton, neutron or certain types of mesons and hyperons should also have similar counterparts. In addition to the anti- or positive electron we have already mentioned the anti-neutrino. The negative muon, for instance, may be the anti-particle of the positive muon, and the same may be true of some of the heavy mesons (e. g. the *kappa* meson) and hyperons.

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[25] M. Gell-Mann and A. Pais postulate on theoretical grounds the existence of a neutral sigma which decays into a neutral lambda and a gamma photon. It is too early, however, to pass judgement on the merits of their interesting theories regarding the interrelation of hyperons. Confer their article, "Theoretical Views on the New Particles" in *Proc. of the Glasgow Conference*, pp. 342 to 352. For a general survey of the highly tentative current theories on mesons and hyperons, see H. A. Bethe and F. de Hoffmann, *Mesons and Fields*, vol. 1, Evanston, Illinois, Row, Peterson and Co., 1955.

The theoretical nuclear physicist has long accepted the assumption of anti-nucleons and has catalogued their probable properties. The negative or anti-proton, for example, should be a stable particle of the mass of the proton but with a unit negative charge and a magnetic moment equal and opposite in sign to that of the proton. The anti-neutron would resemble the neutron in its mass and zero charge but would have a positive instead of negative value for its magnetic moment. It would be unstable, decaying into an anti-proton plus a positive electron and an anti-neutrino.

The existence of antinucleons should be difficult to detect inasmuch as they would tend to annihilate themselves in collisions with ordinary nucleons due to the interaction of their pion fields even though, in the case of the anti-proton, they may be stable in isolation. Furthermore, it would be an extremely rare case where an anti-nucleon would exist as a real particle[26] because of the unusually high energies required to produce it. For theoretical considerations[27] indicate that they can only be created in pairs, and the energy to create a real, and not merely virtual, pair would be tremendous. The kinetic energy of the resulting proton-antiproton pair, consequently, would be so great that before it could be slowed down enough to be readily detected experimentally, it would probably have collided with some nucleon and would be annihilated to produce pions.

Sufficiently high energies to produce proton-anti-proton pairs however, are available in cosmic rays. During the last few months evidence has been growing that the annihilation of an anti-proton is involved in certain high altitude cosmic ray phenomena. And only a few weeks ago (Oct. 18, 1955) E. O. Lawrence conjointly with the U. S. Atomic Energy Commission announced that the team of O. Chamberlain, E. Segrè, and C. Wiegand working with the University of California's new Bevatron has produced negative or anti-protons. Using 6.2 Bev. protons to bombard copper nuclei, they were able to produce a negative and positive proton pair with kinetic energies of better than 100,000 miles a second on the average of about one every fifteen minutes.

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[26] The rapid decay of the negative pion into two gamma rays has been assumed to involve the creation of a "virtual" proton-anti-proton pair. By reason of their interaction with the electromagnetic field they subsequently annihilate each other producing the two gamma photons. Cf. E. Fermi, *Elementary Particles*, p. 76.

[27] It has become increasingly evident that to explain why certain energetically conceivable decay processes never seem to occur, and consequently why nuclear matter can be stable, some law regarding forbidden-reactions must be invoked. E. P. Wigner has emphasized the existence of such a law which he calls the "Law of the conservation of heavy particles." For nucleons, it states that in any reaction, the number of nucleons minus the number of antinucleons remains constant. Hence, nucleons and antinucleons can only be created in pairs. Like the law of the conservation of charge, it seems to hold good in all reactions. The deeper reason for either law is still a mystery. Particles which are "heavy" in this technical sense are said to have a unit "mesonic" (also called "neutronic") charge. Wigner believes this mesonic charge plays the same role for the conservation of heavy particles as the electric charge plays for the conservation law of electric charge. It also has opposite signs for particle and antiparticle. Cf. Bethe and de Hoffmann, *op. cit.*, vol. 2, pp. 45—47.

While the discovery of the anti-proton confirms the physicist in the belief in the soundness of his general theoretical approach, he still has not found the key that will unlock the mystery of the multiplicity and the behavior of the "elementary particles" he has discovered.

2. Nuclear Reactions

By nuclear reactions we understand any change in the composition or physical characteristics of an atomic nucleus due to the capture and or emission of some subatomic particle[28]. By subatomic particle we mean anything less than the atom proper. Hence, it would include not only such "elementary particles" as the electron, proton, neutron, gamma ray photon, etc. but even atomic nuclei such as the alpha-article (helium nucleus), the deutron (nucleus of doubly heavy hydrogen), the triton (nucleus of triply heavy hydrogen), or even the nuclei of the heavier atoms such as krypton, barium, xenon, etc. which may result from spontaneous fission.

Some nuclear reactions take place spontaneously, whereas others are induced by directly or indirectly irradiating or bombarding the atoms with high-energy bullets, which may be one of the elementary nuclear particles mentioned above or the nuclei of the lighter elements. This latter process is popularly referred to as "splitting the atom". If a charged particle is emitted or absorbed by the nucleus so that its total positive nuclear charge (and hence atomic number) is altered, we have what is known as the transmutation of an element. For instance, we may change mercury into gold, thus realizing in part at least the dream of the medieval alchemist, even though the process be anything but economical. To the extent that chemistry concerns itself with the laws governing the change of one kind of matter or substance into another, nuclear reactions involving a transmutation of elements pertain to the province of nuclear chemistry. As with chemical changes, so also in nuclear reactions energy is absorbed and/or released. In general, the reaction occurs when the nucleons that compose the nucleus pass from an unstable or excited state to a more stable condition. In the case of induced reactions, the excitation energy is derived from the kinetic and/or mass-energy of the bombarding particles. In the case of spontaneous fission or radioactive decay where no outside triggering action is involved, the reaction is "explained" in terms of probability laws which permit an occasional "escape" from a condition of high internal energy to a lower or more stable state.

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[28] Nuclear reaction is taken here in a strict sense. It is sometimes given a broader meaning to include any interaction of elementary particles. Cf. e. g. J. M. Blatt and V. F. Weisskopf, *Theoretical Nuclear Physics*, New York, John Wiley and Sons, 1952, p. 311.

Some of the principal nuclear reactions usually distinguished are exchange reactions, radioactivity, fission, fusion and spallation.

a) *Nuclear exchange reactions* occur when one subatomic particle enters a nucleus and ejects one or more other subatomic particle. According to the nature of the particle bombarding or entering the nucleus exchange reactions are classified as proton induced, neutron induced, etc. or where a gamma or high energy photon is involved, photoproduction or the nuclear photoelectric effect. Another mode of classification is designate them as proton-neutron, deutron-proton, gamma-neutron reactions, etc. to indicate both the bombarding or inducing particle and also the ejected particle. Thus for example

$$\mathrm{S}^{32}\ (\mathrm{n},\ \mathrm{p})\ \mathrm{P}^{32}$$

is a neutron-proton (n, p) reaction in which a sulfur nucleus of atomic mass 32 is bombarded by a neutron and ejects a proton becoming, in the process, phosphorus 32. Similarly,

$$\mathrm{C}^{12}\ (\mathrm{n},\ 2\ \mathrm{n})\ \mathrm{C}^{11}$$

indicates a neutron-dineutron (n, 2 n) process in which carbon 12 captures one neutron but ejects two to become carbon 11. In reactions of the exchange type, evidence points to the conclusion that the process usually occurs in two steps. In the first, the incident particle is absorbed or captured by the nucleus to form a highly excited intermediate nucleus which returns to a more stable form by ejecting a particle or particles. In the preceding instance, for example, carbon 12 becomes carbon 13 before passing to carbon 11.

b) *Natural and artificial radioactivity.* Natural radioactivity was discovered accidentally by Henri Becquerel in 1896, but it was Rutherford who eventually succeeded in separating and identifying the three types of radiation involved, *viz.* alpha, beta and gamma rays, and with Soddy, elaborated a theory of radioactive disintegration. All the elements above mercury (atomic number 80) have one or more naturally radioactive isotopes. These radioactive elements are arranged in series or families, each member of the series being a product of the radioactive decay of the preceding element. In addition to the three well-known actinium, radium and thorium series, with the artificial production of transuranic elements several new side chains have been added to the three families and a new radioactive series (the neptunium family) discovered. As more transuranic elements are produced in sufficient amounts that their decay pattern can be studied, we may expect the recognition of additional families or series.

Among the lighter elements, potassium 40, rubidium 87, samarium 148, and lutecium 176 have long been recognized to be naturally radioactive. With the exception of samarium (an alpha emitter), all emit beta radiation. More recently, lathanum and indium have been found to possess naturally radioactive isotopes. Lathanum 138 decays with gamma rays, probably by electron capture (K-effect) and has an estimated half-life of 1.2×10^{11} years[29]. Indium 115 is a beta emitter with a half-life computed to be 6×10^{14} years[30].

Theoretically, any element can be bombarded in such a way as to produce a radioactive isotope. The latter resemble radioactive substances in that they disintegrate spontaneously after a certain period. Most of them are beta-emitters but in many cases the electron emitted is posititve instead of a negative electron. They differ from the natural radioactive elements in that their half-life or mean lifetime is usually considerably shorter.

The distinction between natural and artificial radioactivity, however, can hardly be considered a radical or fundamental difference, particularly if we adopt generally accepted view that the heavier elements are built up step by step from nucleons or lighter elements[31]. In such a case we may reasonably presume that many more nuclear varieties than we know of today would also be formed. Such nuclei, we know, differ in stability and those with relatively short half-lives would soon disappear from the universe leaving behind only the more slowly decaying isotopes which we label as naturally radioactive.

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[29] Pringle, Standil and Roulsten in *Phys. Rev.*, vol. 78 (1950), 303

[30] Martell and Libby, *ibid.*, vol. 80 (1950), 977. See also Perlman and Hollander, "Radioactivity and Nuclear Structure" in *Annual Review of Physical Chemistry*, vol. 5 (1954), 132—135.

[31] See note 6.

c) *Nuclear fission.* In exchange reactions or through radioactivity the particles ejected are relatively small compared to the total nuclear mass. Nuclear fission on the contrary represents a splitting of an atomic nucleus into two fragment nuclei of more of less equal mass[32]. The energy released in fission is tremendous compared to that associated with the two preceding types of reactions. Ordinary radioactive disintegration of uranium releases 1 to 20 Mev. whereas fission of a uranium nucleus produces about 160 Mev. Uranium, plutonium, protoactinium and neptunium are the best known of the fissible elements though all of the transuranic elements probably have one or more such isotope. The usual method of producing fission is to irradiate fissible material with neutrons[33]. Uranium 235 and Plutonium 239 used in first atom bombs are fissible by slow neutrons. Uranium 238, on the contrary, will fission only upon the capture of fast neutrons. Frisch and Meitner first developed a theory to explain fission. The capture of a neutron causes the heavier atomic nuclei, presumably ellipsoidal in shape, to become distorted like an elongated frop of liquid. When a critical point is reached, the nucleus breaks up into two smaller frops, releasing at the same time a number of neutrons. Under favorable conditions these neutrons cause further fission initiating a chain reaction in the fissible material.

Fission can also be induced in many other elements as for instance, among such medium heavy elements as copper, bromine, silver, tin or barium. Fission of tin for instance yields sodium and gallium, whereas beryllium, carbon, fluorine, sodium, chlorine and potassium have all been found as fission products of copper[34].

Spontaneous fission for the heavy elements was predicted practically as early as the discovery of neutron induced fission. Since then spontaneous fission has been observed to occur in uranium and thorium as well as in the transuranic elements[35]. Particle or photon fission takes place when the nucleus has been excited by some 5 Mev. or more, whereas spontaneous fission occurs from the ground or unexcited state. As anticipated this form of fission in uranium proceeds at an extremely slow rate, some million times slower than the alpha particle emission rate of uranium.

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[32] Actually the two principal daughter nuclei may differ considerably in mass. Such asymmetrical fission, as it is called, usually predominates if the inducing particle is of low energy, whereas symmetrical fission (where the fission yields products of equal mass) predominates at high energies. Slow or thermal neutron irradiation of uranium, for instance, favors the fragments with a mass ratio of about 3 to 2, for example, barium and krypton, or strontium and xenon. Cf. e. g. Seaborg and Templeton, "Radioactivity and Nuclear Theory" in *A. R. of Phys. Chem.*, vol. 2 (1951), 87—88; W. F. Libby, *ibid.*, vol. 1 (1950), 102—104.

[33] High energy protons, deutrons, alpha-particles or photons can also be used to induce fission. See Perlman et alii, in *Phys. Rev.*, vol. 72 (1947), 352; Kelly and Wiegand, *ibid.*, vol. 73 (1948), 1135.

[34] Cf. M. G. Mayer, "Radioactivity and Nuclear Theory" in *A. R. of Phys. Chem.*, vol. 3 (1952), 21.

d) *Spallation.* When nuclei are bombarded with projectiles in the 100 Mev. range, the nuclear transmutations most likely to occur are fission or spallation. Spallation (from "to spall" meaning to break by chipping) differs from fission in that instead of the target nucleus being split into two reasonably heavy fragments, only one heavy nucleus remains after a score of lighter fragments escape (nucleons, deuterons, tritons, alpha particles or other light nuclei). It differs from simple exchange reactions in that the original nucleus is greatly reduced in mass. Spallation seems to involve two distinct stages[36]. In the first or cascade stage, the incident particle seems literally to blow a hole into the nucleus driving out a shower of nucleons and pions and leaving the remaining nucleons in a state of excitement. The excess energy of the latter causes them to boil off (evaporation stage) as it were, leaving the residual nucleus in a state of lowest energy. The first process is more rapid (about 10^{-22} seconds), the latter is slower (about 10^{-16} seconds).

Similar to spallation is the *nuclear explosion* in which the incident particle (e. g. a primary cosmic ray) may impart such energy to the nucleus that it literally explodes into smaller fragments such as nucleons, deuterons, alpha particles and the like.

e) *Fusion.* In contrast to the above processess which are generally of a disintegration type, the process whereby heavier elements are built of nucleons or lighter elements is sometimes referred to as fusion. The simplest form of fusion would be the formation of helium from hydrogen, a process which presumably accounts for the energy of the stars[37]. Where sufficiently high temperatures are present this process can be made to take place directly. The same end result can be achieved with the aid of a nuclear catalyst such as carbon 12[38]. The so-called hydrogen bomb employs some type of fusion process. In its first form, it was triggered by some form of fission bomb which produced sufficient thermal energy for the fusion of hydrogen to helium. In the most recent type, the "fission-fusion-fission" bomb, the fission of uranium 235 by slow neutrons triggers the fusion process which produces such high energy nucleons that uranium 238 undergoes fission.

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[35] P. R. Fields et alii, "Spontaneous Fission Properties of Elements 97, 98, 99 and 100" in *Nature*, vol. 174 (1954), 265—266; A. Turkevich, "Radioactivity and Nuclear Theory" in *A. R. of Phys. Chem.*, vol. 4 (1953), 125—127.

[36] P. E. Hodgson, "High-energy Nuclear Disintegrations" in *Science News*, n. 33 (1954) 40.

[37] For an excellent survey of literature on this subject see D. ter Haar, "Cosmogonical Problems and Stellar Energy" in *Reviews of Modern Physics*, vl. 22 (1950), 119—152.

As we mentioned earlier, physicists generally favor the view that the elements in their present abundance have been built up gradually from protons and neutrons by some form of fusion process[39].

3. Nuclear Force

The physicist pictures the nucleus as a system of nucleons bound together by forces a million times more powerful than any other known force. To him this force is still a mystery in the sense that he has not been able to discover its laws or formulate the equations which describe its behavior. And this is his primary problem today. As the result of patient investigation, however, a number of the characteristics of nuclear force have come to light. It is a third and new kind of force distinct from either of the other two basic types (the gravitational and the electromagnetic forces). Whereas the action of the latter extends theoretically to infinity, the nuclear force is extremely short-range being practically inoperative at distances greater than 10^{-13} centimeters. Within this range, however, it overcomes any repulsive force due to the similarity of electric charge. It seems to operate equally well between proton and neutron, neutron and neutron, and proton and proton[40]. Theoretical considerations as well as experimental evidence indicate that at very close distances (of the order of 0.5×10^{-13} cm), it becomes repulsive so that the nucleons are prevented from falling into one another. In addition, nuclear forces show a saturation effect in as much as nucleons manifest a tendency to pair off and even to form closed systems or shells in much the same way as electrons in the atomic orbitals.

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[38] The probable reactions involved in fusion of helium from hydrogen by the so-called carbon cycle presumably operative in the main-sequence stars was first worked out by C. F. von Weizsäcker (*Physik. Zeitschr.*, vol. 38 [1937], 176; *ibid.*, vol. 39, [1938], 633) and H. A. Bethe (*Phys. Rev.*, vol. 55 [1939], 434).

[39] See note 6.

[40] Expressed more precisely, this *theorem of charge independence* states that the nuclear force between any two nucleons is the same provided their spin and angular momentum are the same and that correction is made for the slight Coulomb repulsion where two protons are concerned.

The precise structure of the nucleus, however, is far from clear and poses the second big problem of nuclear physics. But for all that, the nuclear physicist is not wholly in the dark. Experimental evidence indicates that the density of nuclear matter is roughly the same for all nuclei. Furthermore, nuclei are characterized by various quantum states of different energy. Though normally in the ground state (that of lowest energy), the nucleus may be excited or put in higher energy states either in the process of its formation, or by subjecting it to the influence of high energy radiation. After excitation, the nucleus tends to return to the ground state with the emission of one or more photons (gamma radiation). When the nuclear system is subjected to more radical disturbance, e. g. the capture of some elementary particle, the resulting aggregate or system may become so excited that it is no longer stable. Some combinations of nucleons too are unstable even in their ground state. This instability may be of two kinds. One is known as *dynamical* instability which leads to the eventual breakup of the system by the emission of some nucleon or group of nucleons as in the case of alpha emission, fission, spallation, and so on. The other is *beta* instability which leads to the conversion of a proton to a neutron or the reverse through the capture or emission of an electron or beta-particle.

When it comes to filling in the specific details of this general picture, however, the nuclear physicist's headaches begin. The situation of the atomic nucleus is far more complicated than that of the electronic shell structure of atoms. Yet the mathematical equations in the latter case are often so complicated for atoms of higher atomic number that they permit only partial solutions or rough approximations. In the case of nuclear structure, not only is the physicist plagued with complications of manybody wave-equations, but as has well been said, so long as he is ignorant of the basic law of nuclear force, he does not even know what equation it is he cannot solve. This then is his main concern.

The first significant steps towards a theory of nuclear force began with the discovery of the neutron in 1932. On the assumption that nuclei were composed of protons and neutrons[41], W. Heisenberg[42] and the Italian physicist E. Majorana[43], suggested that the attraction between proton and neutron might be of the nature of an exchange force[44], a wave mechanical conception which had been used with such signal success in explaining the optical spectrum of helium. The obvious difference between proton and neutron is that one is electrically charged, the other not. Assume that at close range, this charge is transferred from one to the other so that proton becomes a neutron and the neutron a proton. Then we have the conditions necessary for resonance or exchange energy for the initial and end state of the transfer are of equal energy. Consequently, the two nucleons should be bound together. At first Heisenberg and Majorana assumed that the exchange involved positive and negative electrons, but the mass of the latter yielded values too large to explain the extremely short range of the nuclear force[45]. This discrepancy led to the development of the meson theory in which the notion of exchange forces are incorporated as part of a more general theory[46].

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[41] The idea of a neutron-proton model was advanced independently by D. Iwanenko (*Nature*, vol. 129, 1932, 798) and W. Heisenberg (*Zeitschr. f. Physik*, vol. 77 [1932], 1).

[42] *ibid.;* see also W. Heisenberg, *Nuclear Physics*, New York, Philosophical Library, 1953, pp. 96—103.

[43] *Zeitschr. f. Physik*, vol. 82 [1933], 137.

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[44] Exchange forces are a direct consequence of wave mechanics and have no exact equivalent in Newtonian or classical mechanics. If any system can be represented by two or more states with the same energy (resonance states), the probability of finding the system in either of the two states should be equal. The wave mechanical analysis is essentially a statistical treatment which is interpreted as giving the probability of finding the system in any given state. Hence, it treats the actual state as a combination of the two possible states. Now it turns out that energy of this combined state is actually lower than either of the two taken individually. This difference is called a resonance or exchange energy and is equivalent to an attractive force. It is used to explain binding of atoms in molecules, for instance, the hydrogen ion molecule. The latter consists of one electron and two protons A and B. The system may be represented as existing in one of two equal energy states, viz. one when the electron is bound to A, the other when it is bound to B. Since the wave function, according to one interpretation, implies the probability of finding the electron at any given distance from the two protons, in such an exchange coupling the electron is frequently described as oscillating rapidly between the two nuclei. It is questionable, however, how much reality can be attributed to this interpretation of the oscillating charge so long as the precise physical significance of the wave mechanical interpretation is not certain.

[45] The mass of the particle involved in the exchange interaction is inversely proportional to the range of that interaction. We might use the analogy of a ball being batted back and forth between two players. The lighter the ball, the further it can be batted; the heavier it is, the closer the two players must be to each other. The minimum effective range of a given particle is known as its Compton wave length and is equal to $h/2\pi mc$, where h is Planck's constant, m the mass of the particle and c the velocity of light. For an electron the minimum effective range is too large, being of the order of 10^{-11} instead of 10^{-13} cm.

[46] In addition to the original charged meson theory, a *symmetric theory*, introduced by N. Kemmer (*Proc. Cambridge Phil. Soc.*, vol. 34 [1938], 354), employs the notion of neutral as well as charged mesons. Strictly speaking the notion of exchange forces applies only to the charged meson theory presumably responsible for proton-neutron interactions. Neutral mesons are required to explain the proton-proton as well as the neutron-neutron interaction. In contrast to the Majorana exchange forces (so-called because Majorana suggested the quantum mechanical operators which are most suited to treat them), those involving neutral mesons are called "ordinary" or Wigner forces (See for instance, Blatt and Weisskopf, *Theoretical Nuclear Physics*, New York,

Confirmation of the actual existence of exchange forces came in 1947, when 100 Mev. neutrons were hurled through a hydrogen filled cloud chamber. Photographs revealed encounters that could reasonably be explained only by assuming that when neutrons came within effective nuclear range of protons, the charge was exchanged so that the neutrons became protons and the latter, in turn, neutrons.

The meson theory originated in 1934 when Yukawa approached the problem of short range forces from a different angle. If the electron mass was too small to account for the effective nuclear range, just how heavy would an electron have to be to qualify? Yukawa computed the mass of such a meson or heavy electron and worked out a theory of nuclear fields of which the meson was the quantum of nuclear energy. He also predicted that the meson should break up into an electron and a neutrino after a mean lifetime of 10^{-6} seconds.

Perhaps his theory would not have attracted the attention it did had not a meson which followed the predicted decay plan been discovered by Anderson and Neddermeyer just two years later. But the finding of the muon also had the disadvantage of leading the physicists up a blind alley for almost a decade as they vainly elaborated a plethora of meson theories based on different assignments of spin and parity[47] for the meson and different types of coupling to the nucleon (direct vs. gradient coupling, single vs. meson pair coupling, etc.). When the pi

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J. Wiley and Sons, 1952, p. 137). In all cases, however, a charged or neutral meson is presumed to be emitted by one nucleon and absorbed by the other. Such mesons are referred to as *virtual*, and are distinguished from the mesons existing apart from the nucleus which are called real. The precise physical meaning of these "virtual" mesons is a problem about which philosophers may speculate. From the physicist's viewpoint, however, they are identified with the meson field surrounding the nucleons. As we know from the unified quantum theory, the same phenomenon may be described either in wave or particle language, or more precisely, in terms of wave mechanics or of matrix mechanics. Two electrically charged particles may be said to influence one another (a) either because of the electromagnetic field which surrounds them (wave description) or (b) because one emits a virtual photon which the other absorbs and vice versa (particle language). In the same way, the physicist speaks of the nucleons being surrounded by a meson field or field of nuclear force (wave description), or that one nucleon emits a meson which the other absorbs and vice versa (particle description). It may be of interest to note that the photon in the case of the electromagnetic field or the meson in the case of the nuclear field is called virtual because the emission of a real meson or photon would entail a violation of the law of conservation of energy and momentum. Nevertheless the Heisenberg uncertainty principle permits such a violation by an amount of energy δE, provided it is paid back in time δt, where

$$\delta E \times \delta t = h/2\pi$$

Of course the physicist is precluded from ever investigating this area (Bohr's Complementarity Principle) so that he will never know to what extent his "virtual" meson was ever "real".

[47] See note 3.

meson was finally discovered and its properties studied, nuclear physicists were convinced that the pion field must be chiefly responsible for the interaction of nucleons. While the behavior of the pion gives a strong support to the qualitative features of Yukawa's theory, nuclear physicists have still not succeeded in working out a quantitatively correct meson theory of nuclear force[48].

Various models of nuclear structure have been suggested such as the liquid drop model, the alpha particle model, the independent particle model, and so on[49]. Already in 1936 Bohr pointed out that where strong interaction between nucleons prevails such as that produced by Yukawa or Heisenberg exchange forces, the nuclear structure could be fairly accurately depicted by the analogy of a liquid drop in which the nucleons are more or less firmly bound to one another. One of the principal merits of the model was that it could account rather well for the fission of nuclei, but it failed to explain the excited states of nuclei or the unusual stability of magic number nuclei.

More recently attention has turned to an improved version of the shell model developed independently by Maria Goeppert Mayer[50] and O. Haxel, J. H. D. Jensen, and H. E. Suess[51]. Unlike the liquid drop model which postulates a strong interaction between the nucleons, this independent particle model is based on the assumption that the nucleons behave with considerable independence of one another much like the electrons in the extranuclear structure of the atom. Some of the quantum factors that apply to the latter can be attributed to the nucleons such as the principal quantum number, angular momentum and the spin number. In addition a new quantum factor is introduced, the spin-orbit coupling[52] and in more recent extensions of the model, other quantum numbers are employed[53]. Using the Pauli exclusion principle, one can consider the nucleus to be formed by gradually filling up of different energy levels with neutrons and protons in much the same way as electrons were presumed to fill the electron shells in the old Bohr theory of the atom. In the latter model, the inert gases because of their closed electron shells represent particularly compact and stable electron structures and the atomic numbers 2, 10, 18, 36, etc. might be called the "magic numbers" of the periodic table. In similar fashion 2, 8, 14, 30, 38, 50, 82, 126 and recently 152 appear as "magic numbers" of nucleon structure, in the sense that a nucleus having a magic number of protons, or especially a magic number of neutrons are pronouncedly more stable than their neighbors. One of the features of the shell theory is that the magic numbers appear as natural divisions between levels that differ greatly in energy. The shell theory in addition has been rather successful in explaining a number of nuclear properties such as isomers[54], nuclear spins and even in some cases the magnetic moments and quadrupole moments of nuclei in the ground and lower energy states.

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[48] The main difficulty has been the lack of adequate mathematical techniques for dealing with complex theoretical equations of the various versions of the theory. Since 1947, the great advancement in the mathematical treatment of fields by the technique of "renormalization" (whereby quantities which used to turn out infinite are re-interpreted as a change of the mass and the charge of the particle) permits the reassessment of the relative merits of meson theories by permitting finite and experimentally verifiable answers to well-defined problems. The works of Brueckner, Lévy, Drell, Henley, Chew, Dryson and others have led the way to new and promising developments of the meson theory (Cf. Bethe and de Hoffmann, *Mesons and Fields*, vol. 2 pp. 192—199). M. Lévy's recognition of the repulsive nature of the nuclear force at very small distances (Cf. M. M. Lévy, *Phys. Rev.*, vol. 86 [1952], 806; *ibid.*, vol. 88 (1952), 72 and 725) makes it possible to account for the stability of the heavier nuclei without the introduction of the heavy meson or hyperon. For it predicts inbetween three or more nucleons which "hand a meson to each other around the circle", as Bethe expresses it ("Mesons and Nuclear Forces", *Physics Today*, vol. 7, n. 2, Feb. 1954, 11). As Weisskopf points out *(op. cit.)* these many-body forces may be quite important in accounting for the saturation of nuclear forces which prevents the collapse of heavy nuclei. But for all that nuclear physicists are still not sure that the pion can provide the basis for a correct meson theory of nuclear force (Cf. Lévy and Marshak, "Brief Report on the Present Status of Meson Theory of Nuclear Forces" in *Proc. of Glasgow Conference*, pp. 10—23).

[49] Cf. Blatt and Weisskopf, *Theoretical Nuclear Physics*, pp. 266 ff.

[50] *Phys. Rev.*, vol. 75 (1949) 1969; *ibid.*, vol. 78 (1950) 16.

[51] *Phys. Rev.*, vol. 75 (1949), 1766; *Z. Physik*, vol. 128 (1950), 295.

This success of the shell model is rather surprising since it begins with an assumption seemingly at variance with the strong interaction between nucleons experimentally observed in pion-nucleon scattering. Recently Weisskopf has suggested a way out of the dilemma. He points that the strong interaction models are based on reactions of nuclei or nucleons involving high nuclear excitation energies. Thus, for instance, the exchange forces predicted by Heisenberg operate where high energy neutron beams are scattered by hydrogen nuclei or in nuclear fission that is neutron induced. On the other hand, the most successful prediction made on the basis of the shell model apply to nuclei in the lowest energy levels (the ground state and first excited state). The reason the nucleons of normal nuclei act as independent particles and do not show the effects of any strong interaction can be attributed to the fact that the adjacent energy levels in normal nuclei are filled. The Pauli exclusion principle in such a case forbids a reaction between the nucleons in much the same way that it forbids a strong interaction between electrons in a metal. In both cases, the energy of particles behaving as a degenerate gas is not sufficient to put the particles with which they come into contact in one of the high energy levels that lie beyond those already filled. Hence they have much greater freedom of movement that would be expected in view of their close proximity in the nucleus. In the case of fission or neutron scattering by protons, however, if the energy of the incident particle is greater than the energy of the nucleons in the last energy level to be filled, scattering will take place and the formation of independent orbits will be prevented[55].

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[52] This factor indicates whether the spin of the nuclear particle is aligned parallel or antiparallel to the direction of its orbital rotation. It is introduced to account for the higher magic numbers.

[53] Cf. e. g. E. Feenberg, *Shell Theory of the Nucleus*, Princeton, Princeton University Press, 1955, chap. 10; M.G. Mayer and J. H. D. Jensen, *Elementary Theory of Nuclear Shell Structure*, New York, J. Wiley and Sons, 1955.

[54] As used in nuclear physics, isomers designate nuclei with the same atomic number and mass but different radioactive properties. Nuclear isomerism is due to the fact that nuclei can exist in excited as well as the ground energy state.

Promising as this qualitative argument is, actual attempts to provide quantitative verification of Weisskopf's view have not been too successful[56]. The relative success of the shell model still remains something of a mystery. In the last five years the theory of shell structure has been rapidly extended and deepened[57]. Attempts have been made to combine the shell theory with the best features of other models, particularly those which take into consideration the collective motion of nucleons[58]. While results have been promising, no one consistent model has been found so that we must use different nuclear models, as J. A. Wheeler puts it, "to look into the same room through different windows[59]."

Despite the intensive study brought to bear on the problem of nuclear forces "much remains to be done before it can be said that the nature of nuclear forces is fully understood[60]." And even when we reach such "understanding", as the physicist uses the word, shall we have solved all the questions about matter we can hope to solve. Max Planck, the

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[55] V. Weisskopf, "Nuclear Models", *Science*, vol. 113 (1951), 101.

[56] Cf. e. g. Feenberg, *op. cit.*, p. 201.

[57] I. Perlman and J. M. Hollander, "Radioactivity and Nuclear Structure" in *A. R. Phys. Chem.*, vol. 5, (1954), 119 ff; *Proceedings of the 1954 Glasgow Conference on Nuclear and Meson Physics*, esp. part II on nuclear models; Feenberg, *op. cit.*; Mayer and Jensen, *Elementary Theory of Nuclear Shell Structure;* A. de Shalit and M. Goldhaber, *Phys. Rev.*, vol. 92 (1953) 1211, A. R. Edmunds and B. H. Flowers, *Proc. Roy. Soc.*, vol. 215 (1952), 120, etc.

[58] J. A. Wheeler, "Survey of Nuclear Models" in *Proc. of 1954 Glasgow Conference*, pp. 38—46; D. L. Hill and Wheeler, *Phys. Rev.*, vol. 89 (1953), 1102; A. Bohr and B. R. Mottelson, *ibid.*, vol. 90 (1953), 717, etc.

[59] Wheeler, *Survey of Nuclear Models*, p. 46.

[60] H. S. W. Massey, "Survey of Nuclear Forces" in *Proc. Glasgow Conf.*, p. 9.

"father of the Quantum theory", ironically enough was advised by von Jolly, Professor of Physics at the University of Munich, to take up music or classical philology since "there was nothing new in physics to be discovered[61]." Perhaps we are, as many contemporary physicists believe, approaching the last outposts of atomic knowledge possible to man. But be that as it may, an aura of mystery will always cling to the atom whose unbelievably rich structure belies its name. It continues to intrigue and perplex the human intellect, ever teasing it with the promise of a full confession, while luring man deeper into its labyrinthine core. Even the very lowest of God's creatures, as it were, mocks the proud mind of man, and mirrors in its own way something of the mystery of its Creator.

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[61] W. Meissner, "Max Planck, the Man and His Work" in *Science*, vol. 113 (1951), 75.

EDITIONS OF DISTINCTIONS XXVI AND XXVII OF ANONYMOUS BRUSSELS *BIBLIOTHEQUE ROYALE* 1542

(Continuatio)

f. 223va Postea quaeritur quando, id est in qua aetate, possunt contrahi sponsalia?

Quod autem in septimo anno et non ante dicunt plura iura, Extra. De Spon. impuberum, Accessit, et Ex litteris[1].

Secundo, si postquam ad septem annos pervenerint, possunt reclamare, et irritare quidquid ante factum est, Extra. De spon. impuberum, Decessit[2], at argumentum a simili De voto religionis, Dist. XXVIII, De his; XX, qu. 1, Illud[3].

Tertio, quare matrimonium initiatum est semiperfectum, quia ad existentiam rei in actu concurrunt materia sufficienter disposita et forma. Ergo, per sponsalia sufficienter disponatur huiusmodi materia, et non exigitur postea nisi consensus de praesenti. Videtur quod quasi dimidium facti illius sit initium. Unde illud dimidium facti qui bene coepit habet. Ergo, si perfici non potest secundum iura donec vir habet quattuordecim annos, videtur quod medietas huius temporis recte respondet initio matrimonii. Ergo, septennium tam in viro quam in muliere.

Contra. Videtur quod minus de tempore sufficiat, quia legimus in Beato Gregorio[4] de puero illo quinque annorum quod blasphemabat, ergo iam discretionem aliquam habebat; ergo cum discertio sufficiat ad consensum, videtur quod ante septem annos possint consentire ad sponsalia.

Item, Extra. De spon. impuberum[5], De illis, malitia supplet aetatem.

Respondeo. Tempus septem annorum ad sponsalia contrahenda determinatum est per iura, et ad hoc potest esse duplex ratio, quia cum ad talem contractum exigatur usus rationis, non debuit ad hoc tempus determinari nisi illud in quo ratio suum usum habere potest quantum ad consensum. Hoc autem est septennium, quod ex duplici via potest perpendi. Primo, per experimentum sensus quia tunc praevidentur pueri, ut in pluribus, astuti et doli capaces, et si in aliquibus praeoccupetur illud tempus, in aliquibus autem plus exigatur temporis. Communiter tamen in annis septem solent rationales esse quantum ad talia, et ideo cum iura in talibus contingentibus non possunt respicere singula, quia impossibile est omnia talia contingentia similiter se habere, ideo respiciunt quod in pluribus, et propter hoc septennii tempus ad hoc determinatum est secundum illud quod dicitur Extra. De spon. impuberum, Litteras[6], quod ex illo tempore sponsalia placere consueverant.

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[1] c. 5, Accessit, X, De desponsatione impuberum, IV, 2 (II, 673).

[2] Read "Accessit" instead of "Decessit", and cf. preceding note.

[3] Cf. *Decret. Grat.* c. 5 De iis, Dist. XXVIII, and ibid. c. 10, C. XX (ed. Friedberg, I, 101, 845).

[4] *IV Dial.*, c. 18 (PL 77, 349).

[5] c. 9, De illis, X, De desponsatione impuberum, IV, 2 (II, 676).

Quod ergo obicitur in contrarium de puero quinque annorum blasphemante, dicatur quod consuetudines et iura non respiciunt quod in aliquo accidit, sed quod in pluribus. Unde dicitur etiam quod privilegia paucorum non faciunt legem communem.

Per hoc respondetur ad decretalem, quia verum est quod in aliquibus praevenit aetas ratione malitiae, cum consensus non respicit quod singulariter evenit, sed quod commune.

Quod obicitur post quod medietas temporis quod exigitur ad matrimonium sufficit ex parte viri, ergo similiter ex parte mulieris, dicatur quod aliud est ex sponsalibus et aliud de matrimonio, quia sponsalia solum actus requirunt ex parte rationis, scilicet discretionem aliquam qua possit consentire, et quia hoc in utroque sexu convenienter non est ante septimum annum, unde illud tempus secundum tempus viri qui iunior est metitur. Quia ergo in viro non est communiter ante septimum annum, ideo nec in muliere ponitur in pauciori tempore. Et ideo communiter tempus septennii ad sponsalia determinatur. Matrimonium autem non solum perfectionem requirit vel actum ex parte rationis, scilicet, consensum de praesenti, sed etiam potentiam vel perfectionem ex parte naturae vel corporis, secundum quod potentia generativa possit exire in actum quantum est ex parte corporis, et quia ante decimum quartum annum non potest in viro, anno autem duodecimo potest in muliere, et hoc communiter loquendo, quamvis in aliquibus specialiter praeveniatur huiusmodi tempus, ideo patet quod recte medietas temporis quod sufficit ad matrimonium secundum iura ex parte viri determinatur ad sponsalia; ex parte vero mulieris, non.

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[6] c. 4, Litteras, **X**, De despon. impub., IV, 2 (II, 673).

Quod obicitur quod actus naturae praecedat actum rationis, dicatur quod iste homo et est individuum quoddam in se; et est principium alterius hominis natura; ergo, quoddam habet actus in isto individuo considerato secundum se, ut nutrire, augmentari, et huiusmodi, quae pertinent ad conservationem et subsistentiam huius individui, et de his et talibus bene precedit ratio. Habet etiam natura in isto individuo actus vel actum secundum quod est principium alterius eiusmodi generis, et talis non antecedit sed sequitur actum rationis, quia prius potest uti ratione quam organa vel corpus his motibus sufficientia sint ad actum talem, et ideo de talibus non valet ratio; talis autem actus naturae requiritur ad matrimonium. Et ideo cum iste actus requirat tempus quattuordecim annorum communiter in viro, vel duodecim in muliere, ut praedictum est, et ante hoc, scilicet septem, potest ratio exercere actum sufficientem ad sponsalia, patet quod propter illam rationem non exigitur plus tempus ad sponsalia contrahenda quam determinatur in iure.

Postea est quaestio utrum sponsalia solvi possunt?

Quod non, argumentum XXVII, Q. II, Si quis[7], et iterum sequens capitulum Si quis; ibi dicit capitulum quod si quae disponsata est alicui et praeventus est morte quod nullus de parentula illius eam habebit. Ergo, cum tantum teneretur isti quantum prohibetur ab aliis, si aliis non potest coniungi de iure, nec ab isto poterat separari.

Contra, Extra, De spon., Praeterea[8] hi qui de matrimonio contrahendo, ibi videtur dici quod si spondentes nolunt implere quod spopondent, possunt sibi invicem remittere promissionem. Secundo, quia quod non est, non ligat. Sed ea promissio cum sit de futuro non est, ergo non ligat isti. Ergo, potest rescindere cum vult. Tertio, quia quod est contingens non est natura indissolubile. Sed veritas futuri est contingens, ergo, etc., quia in singularibus et futuris non est determinata veritas.

Respondeo. Sponsalia indissolubilia sunt quia sine peccato non possunt solvi, quia qui promittit se accepturum, aut non intendit quod dicit facere, et sic non sunt sponsalia, quia mentitur iste; aut intendit dicere verum, et sic sunt sponsalia, et tunc ligat se ultra, subdit legi *f. 223 vb* veritatis et rectitudini veritatis; et quia veritas immutabilis | est, non potest ire contra talem rectitudinem quin deviet a rectitudine. Ergo, si a rectitudine aliqua deviare debet, planum est quod de iure contra promissionem venire non potest. Unde non contradicit verbo veritatis ullo modo. Et secundo eiusdem quarti est de hac materia[8a] quod potest ad hoc valere. Tota ergo causa quare indissolubilia sunt sponsalia est veritatis immutabilitas cui iste adhaeret et se ligat. Sciendum tamen quod et sponsalia possunt considerari secundum se, et sic indissolubilia sunt, vel per comparationem ad tertium ut ad aliquam formaliter formam vel promissionem, et sic solvi possunt sponsalia, ut si de praesenti consentiat in aliam, solvitur sponsio de futuro cum prima, et tenet ista. Et hoc quia veritas utrobique ligabat. Sed fortius ligat cum ista quam cum illa, et ideo ruptum est aliud vinculum. Tamen iste sine peccato non rumpit, quia indissolubile erat per naturam suam. Sed molestiam ei fecit, et ideo peccavit.

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[7] *Decret. Grat.* c. 11, C. XXVII, qu. 2 (I, 1065), and *ibid.* c. 14, Si quis (I, 1066).

[8] c. 2, Praeterea, hi qui de matrimonio, **X**, IV, 1 (II, 661).

Quod ergo primo adducitur Extra. De sponsalibus, solvitur in apparatu, quia apparatus concordat opinioni Hugguccionis[9], qui dicebat et bene quod decretalis illa loquitur permissive et dispensative, et hoc probat per verba decretalis quae dicunt hoc possit in patientia tolerari, ne deterius inde contingat. Alioquin debebant de iure compelli ut fidem servarent.

Habito de causa matrimonii initiati, circa secundum partem quaeritur de causa matrimonii rati, scilicet de consensu, et quaeruntur quattuor; primo utrum consensus sit causa efficiens matrimonii rati; secundo, utrum solus consensus; tertio, in qua aetate possit fieri; quarto, utrum possint dissolvi?

Ad primum, in nullo alio sacramento est suscipiens causa efficiens, ergo nec hic. Sed, si coniuges non sunt causa efficiens matrimonii, nec eorum consensus vel voluntas, quia cuiuscumque est causa voluntas mea, ego sum causa illius. Ergo, si non sum causa, ergo nec voluntas mea est causa.

Secundo, quia consentire non est efficere rem in actu, sed est respectu rei factae vel fiendae. Ergo, consensus est causa efficiens. Ergo, etc.

Contra. Primo, per multas auctoritates in Littera[10], et sic sustinetur, Dist. XXVII, Q. II, cap. 1[11].

Secundo, quia in aliis sacramentis verbum est causa efficiens, non tamen quia verbum, sed ratione contenti in verbo. Similiter ergo in ipso verbum est causa efficiens, sed non ratione verbi sed ratione eius quod continet. Sed nihil aliud continet verbum in hoc sacramento nisi consensum. Ergo, consensus est causa efficiens matrimonii.

[8a] *Cf. Extra. ed.* Friedberg, II, 672 sq.

[9] Cf. *Decretales D. Gregorii Papae IX*, Venetiis (1584), col. 1420.

[10] Cf. Lombard, *IV Sent.*, Dist. 27 (*ed.* Quaracchi II, pp. 917 and 922).

[11] *Decret. Grat.* c. 1, C. XXVII, qu. 2 (I, 1063).

Respondeo. Consensus est causa efficiens coniugii quia est causa coniunctionis animorum, et facit eam ad quam sequitur aliae coniunctiones, scilicet corporum, conformitatis et morum et conversationis. Primo enim unus coniugum ut vir exprimit suum sensum, quod scilicet sentit in corde et quod corde vult exprimit, dico ore, et postmodum mulier percipit aure et concipit illum corde, et suum sensum sive suam voluntatem voluntati viri unit, idem volendo, et post suum sensum sive quod ulterior exprimit ore, vir percipit aure, et concipit corde, et sic uniuntur invicem sensus amborum et voluntates, et fit consensus quasi sensus unicus, vel similis sensus, et in hoc animi coniunguntur ad quam coniunctionem caeterae sequuntur.

Ad primum ergo quod suscipiens non est efficiens etc., dicatur quod matrimonium potest considerari ut coniugium, et sic consensus est efficiens ibi simpliciter, vel ut est sacramentum, et sic Deus per gratiam est causa efficiens, consensus vero est cooperans extra, non efficiens principaliter, et sic procedit ratio, non primo modo.

Ad aliud quod consentire non est efficere triplex est sensus sicut et distinguitur voluntas antecedens, consequens, et concomitans. Consensus antecedens est respectu faciendi, vel non faciendi, et hoc non est causa efficiens rem respectu cuius est et antecedit, ut est consensus in sponsalibus. Consensus autem concomitans est uniens animos, ut visum est, et sic est causa efficiens quia facit hanc transire in dominium viri et istum in dominium mulieris quantum ad actum coniugalem. Consensus autem consequens est de continuando primum consensum iam factum de antecedente. Ergo, et (*read* de) consequente, non de concomitante, procedit ratio.

Ad secundum obicitur "quos Deus coniunxit homo non separet[12]," ergo Deus est efficiens, non ergo solus consensus coniugum.

Item, XXX, Q. V, Aliter et XXXII, Q. II[13]; cum ergo utrobique habetur quod consensus parentum requiritur et non sit matrimonium sine illo, ergo, etc.

Secundo, quia quamdiu filii non sint emancipati habent parentes potestatem super eos, et auctoritatem in factis eorum; unde Apostolus, "Filii, obedite parentibus[14]." Ergo, quod faciunt auctoritate parentum debent facere. Ergo, et eorum consensus ibi requiritur, et habet hoc auctoritas. Ergo, est efficiens.

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[12] Matt. 19, 6.

[13] Cf. c. 1, Aliter, C. XXX, qu. 5, 4 (I, 1104), and c. 13 ff., Honorantur parentes, C. XXXII, qu. 2 (I, 1124).

[14] Col. 3, 20.

Contra. "Propter hoc relinquet homo patrem et matrem et adhaerebit uxori suae[15]." Ergo, conceditur eis contrahere ex auctoritate divina, relictis patre et matre. Ergo, non requiritur eorum consensus.

Secundo, quia in spirituali coniugio ut animae cum Deo semper licet ad arctiores amplexus ascendere, et arctiori vinculo se constringere. Unde semper licet ad arctiorem religionem transire. Ergo, semper ex parte vinculi carnalis quod est signum illius spiritualis, semper licebit arctius se stringere et ad arctius vinculum transire. Sed arctius est vinculum inter virum et uxorem quam inter parentes et filios, ut habitum est supra. Ergo, semper licet filiis, velint vel nolint parentes, transire ad vinculum coniugale. Ergo, solus consensus eorum, non parentum, est causa efficiens coniugii.

Respondeo. Possumus loqui de matrimonio vel in quantum sacramentum, et sic Deus per gratiam est causa efficiens, et consensus coniugum cooperans, ut dictum est supra. Vel, in quantum coniugium, et sic est loqui de causa matrimonii efficiente dupliciter, quia *li* solus, cum quaeritur utrum solus consensus sit efficiens, potest esse cathema
4ra vel sincathema, | et potest facere generalem exclusionem vel specialem. Si sincathema et generalem facit exclusionem, sic est falsum quod solus consensus sufficiat, quia Deus est ibi causa efficiens, et ultra hoc quod est generalis causa efficiens in omnibus actibus nostris, quia, "Sine me", sicut ipse dicit, "nihil potestis facere[16]." Est ipse haec causa efficiens specialis, scilicet legem coniugii instituendo, et coniugii contrahendi auctoritatem praebendo, secundum quod dicitur in Gen. "Propter hoc relinquet homo patrem et matrem et adhaerebit uxori suae, et erunt duo in carne una[17]." Si *li* solus sit cathema tunc specialem facit exclusionem, ut sit sensus, solus consensus coniugum, id est non alius consensus, tunc possumus loqui de hoc dupliciter, scilicet quantum ad necessitatem, et sic non requiritur alius consensus nisi consensus coniugum, et rationes huius tactae sunt in opponendo, scilicet tum quia auctoritas eis conceditur divina non habito respectu ad patrem et matrem, immo resistente, patre et matre, quia hoc vinculum quod est inter virum et mulierem et maius et fortius et nobilius vinculum amoris et unitatis quam sit vinculum quod est inter prolem et parentes, et ideo licet semper ad hoc fortius vinculum auctoritate Domini transire. Vel possumus loqui de hoc consensu sive de causa efficiente quantum ad honestatem et sic requiritur consensus parentum et traditio eorum, et solemnitas etiam

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[15] Gen. 2, 24.
[16] Jn. 15, 5.
[17] Gen. 2, 24.

Ecclesiae requiritur, tum propter honestatem tum propter probationem, si oportuerit.

Quod ergo primo obicitur per auctoritatem Evangelii et per illa decreta iam solutum est.

Ad aliud dicatur quod verum est; quamdiu enim filii non sunt emancipati, habent parentes potestatem super eos et auctoritatem in factis eorum. Sed quidam actus sunt qui eos extrahunt de potestate parentum et eos emancipant, scilicet, ubi transitur ad altius vinculum ut ad claustrum, et similiter ad coniugium, quia etsi filius sit de carne parentum, et quantum ad hoc fit cum eis una caro, non tamen ita spiritualiter est una caro cum eis, sicut cum uxore, quia una caro omnino reputantur vir et uxor, et una voluntas, et quasi unum principium vel una persona respectu prolis procreandae, in qua spiritualiter uniuntur et propter gratiam unionis sibi ad hoc specialiter collata, secundum quod habitum est supra[18].

Quantum ad tertium quaeritur, primo, utrum ex parte mulieris requiritur duodecimus annus, ex parte viri decimus quartus; secundo, quare maior aetas requiritur ex parte viri quam ex parte mulieris.

Ad primum Extra. De spon. impuberum, Puberes[19], habetur quod minor aetas sufficit, quia ibi habetur quod pubes est qui generare potest, et hoc potest esse ante aetatem praedictam secundum quod ibidem dicitur, "Puerperae sunt quae in annis puerilibus pariunt[20]." Ergo, etc.

Praeterea, de coniugio Mariae et Ioseph habetur XXVI, Dist., cap. Cum igitur, "Tanto sanctius fuit atque perfectius quanto a carnale opere immunius[21]." Et XXX, cap. Inter quos, "Sanctiora sunt coniugia pari voto continentium[22]." Ex his patet quod non requiritur aetas in qua possit opus carnale exerceri, sed solum in qua possit invicem consensus haberi. Ergo, si antecedit haec aetas aetatem praetactam, videtur quod ista aetas non requiritur.

Contra. Extra, De spon. impuberum, Attestationes, Ex litteris[23], ibi habetur quod quartus decimus requiritur ex parte viri, ergo a simili duodecimus ex parte feminae, cum haec sit aetas secundum iura taxata ex parte feminae, sicut illa ex parte viri. Ratione huius quaeritur utrum maior aetas requiritur in viro quam in muliere, et videtur quod maior aetas requiratur ex parte mulieris quia XX, Q. I, Sanctimoniales[24] habetur quod mulier non debet consecrari usque ad quadragesimum annum. Sed constat quod viri plus multum ante possint consecrari in subdiaconos, diaconos, et sacerdotes, secundum quod tactum est in iure[25]. Ergo, quantum ad matrimonium spirituale minor aetas requiritur in viro et maior in femina. Ergo, a simili etc.

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[18] Cf. ed. supra p. 295.

[19] c. 3, Puberes, **X,** De despons. impub. IV, 2 (II, 673).

[20] Cf. *ibid.*

[21] Cf. Lombard, *IV Sent.*, Dist. 26 (ed. Quaracchi II, p. 914).

[22] Cf. Lombard, *IV Sent.* Dist. 30 (ed. cit. II, 932).

[23] c. 10, Attestationes, **X,** De despon. impub. IV, 2 (II, 676), and c. 11, Ex litteris, X, De despon. impub. IV, 2 (ibid.).

Secundo, quia ad matrimonium carnale contrahendum exiguntur duo, scilicet discretio et potentia generandi, sive quod generativa possit egredi in actum suum. Sed in his duobus antecedit vir mulierem secundum tempus.

Contra. Primo, quia in via generationis imperfectum praecedit perfectum. Unde secundum Philosophum[26] in via generationis prius est animal quam homo. Ergo, in via generationis sive inter principia generationis prius est tempore quod minus est perfectum quam quod magis. Sed mulier in generatione est principium minus perfectum quia materiale et passivum, vir autem est principium magis perfectum; unde citius venit mulier ad statum suum ut possit esse principium generationis quam vir.

Respondeo. Ad primum horum duorum dico quod forma verborum quibus exprimitur consensus requirit quod tales sint qui contrahunt quod habeant potentiam generandi paratam, non quod habere possint, sed quod actualiter habeant. Cum enim dicitur, "Accipio te in meum," et "Ego in meam," unus transit in dominium alterius. Non tamen intelligendum est hoc quantum ad sua, quia unus non fit suus alterius, et econtra, sed intelligitur hoc quantum ad corporalem usum quod requirit matrimonium et propter quod instituitur, scilicet propter creationem prolis. Unde sicut de praesenti dicitur, "Accipio," sic de praesenti exigitur propter formam verborum quibus exprimitur eorum consensus, non falso sed vere, quod actualiter habeant aptitudinem ad generandum. Hoc potest habere ex Causa XXXII, Q. II, Pudor est[27], et Extra, De spon. impuberum, Puberes[28], ibi certum est; et quia huius potentia generandi potens est egredi in actum in muliere anno duodecimo, in viro decimo quarto, ideo requiritur talis actus vel virtus talis aetatis; talis autem aetas complete attenditur et regulariter in viro. Quod autem in muliere minor aetas sufficit quam quattuordecim, hoc est propter imperfectionem illius. Quare autem in viro sit talis virtus in decimo quarto, recurretur ad rationem superius assignatam de septennario sponsalium, quia principales mutationes quae fiunt in homine | *f. 224rb* fiunt un numero septennario ad exemplum primae mutationis quae est exemplar aliarum. Quia ergo vegetativa in septennario operatur in utero, sensibilis postea in septennario annorum, ita et tunc ratio incipiens operari minus completa est usque ad quattuordecim, quia nondum completus est suus septennarius. Tunc autem suo septennario completo, est ipsa ratio completa et perfecta secundum naturam in isto, et tunc completa est et perfecta anima rationalis in illo quantum ad omnem sui potentiam secundum naturam; et quia perfecti est generare sibi simile, ideo tunc primo regulatum est hoc individuum, quod usque modo perfectum est in se secundum potentiarum animae naturales operationes, potens ad sibi simile producendum. Quod autem inferior aetas sit in muliere sufficiens, hoc autem est propter imperfectionem illius. Hoc est ergo ratio aetatis determinatae ad matrimonium. Alia ratio est conveniens ad istam, et a posteriori, scilicet exprimunt sensus, quia scilicet in tali aetate apertum est quod generare potest vir et mulier concipere, sed quia quod sensibiliter apparet causam habet in natura, ideo illam rationem praehabitam causam huius ponimus.

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[24] c. 13, C. XX, qu. 1 (I, 846).

[25] *Decret. Grat.* c. 1—2, Dist. LXXVIII (I, 275).

[26] *Aristoteles, De animalium gener.* c. III (Didot 3, 351).

[27] c. 1, Pudor est, C. XXXII, qu. 2 (I, 1119).

[28] c. 3, Puberes, **X,** De despon. impub. IV, 2 (II, 673).

Quod ergo minor aetas videtur sufficere in quibusdam secundum illam decretalem Puberes[29], bene concedimus quod aliquando minor aetas sufficit, sed communiter attenditur illa aetas, et quia statuta iuris de his contingentibus non secundum singulares eventus sed secundum communem statum dantur, ideo nihilominus requiritur talis aetas ad contrahendum. Unde semper requiritur duodecim ex parte mulieris, vel virtus anni duodecimi, ex parte viri decimi quarti, cum malitia dicitur supplere aetatem. Et hoc tangitur in apparatu Puberes, "Pubertas ex vigore naturali, non ex annorum numero comprobatur[30]."

Ad aliud quod consensus secundum discretionem requiritur ad contrahendum matrimonium, non secundum quamcumque discretionem, sed secundum discretionem perfectam, non enim tunc debent habere discretionem ad se solos regendum, sed etiam ad regendum familiam, propter quam habendam contrahunt. Quamvis ergo discretio et consensus secundum discretionem possit esse in minori aetate, tamen talis perfecta discretio in aetate a iure determinata, scilicet duodecimo et decimo quarto anno, propter rationes praehabitas attenditur, vel in aetate habente illius aetatis, quando scilicet malitia in aliquibus praevenit aetatem. Generaliter tamen secundum quod dantur statuta iuris non respectu huius vel illius, sed respectu communitatis debet attendi annus duodecimus hinc et quartus decimus inde.

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[29] *Ibid.*
[30] *Ibid.*

Ad id quod postea quaeritur respondeo quod minor aetas requiritur in muliere quam in viro, quia humidum quod requiritur praecipue ad generationem magis est passibile in muliere quam in viro. Unde et citius consumptibile est a calido consumente, et idcirco mulieres per naturam citius moriuntur, et breviores vitae sunt quam viri.

Quod ergo obicitur de XX, Q. I, Sanctimoniales[31], intelligendum est secundum aliquorum consuetudines, et non praecise loquitur, quia alibi eadem quaestione, Placuit[31a], dicit quod ante vicesimum quintum annum nec virgo consecratur nec vir in diaconum consecratur. Ecce quod ponit quantum ad hoc virum et mulierem quasi in aequali, eadem quaestione Iuvenculas[32] dicit quod debet esse mulier consecranda sexagenaria, et sic patet quod non praecise sed secundum diversas consuetudines in diversos casus loquuntur de hoc iura. Et ideo non est hoc ad contrarium trahendum.

Quod obicitur quod in viro est magis de calore naturali quam in muliere, verum est; sed ad generationem non solum calor mediante quo fit digestio humidi naturaliter, sed ipsum humidum obediens calori et digestibile ab ipso requiritur. Quamvis ergo plus de calore sit in viro et minus in muliere, tamen propter imperfectionem mulieris respectu viri humidum in ipsa magis est obediens, quia magis passibile, et ita magis digestibile, et magis obediens est parvo calori qui in ea est quam humidum in viro sit obediens maiori calori, quia propter perfectionem viri fortius et perfectius est humidum in viro quam in muliere, et ideo minus passibile, et ita minus digestibile est a calore quamvis maiori, et ideo non valet ratio. Sed valeret si humidum in utroque similiter se haberet.

Circa quartum videtur quod matrimonium verum, vel per verba de praesenti contractum, possit solvi, quia verum matrimonium est inter fideles, XXVIII, Q. I, Non est ratum[33], et Extra. Qui matrimonium accusare possint, Quanto[34], et tamen dissolvi potest, sicut dicit idem capitulum, et Extra. De his qui matrimonium accusare possint, Quanto[35], et iterum XXVIII, Q. II, Si infideles[36], a quo capitulo sumitur illud quod dicitur in illa decretali, Quanto, quod contumelia etc.

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[31] c. 13, Sanctimoniales, C. XX, qu. 1 (I, 846).
[31a] c. 14, Placuit, *ibid.*
[32] Cf. ibid. c. 12, Iuvenculas.
[33] Pars I, C. XXVIII, qu. 1 (I, 1078).
[34] c. 7, Quanto te novimus, **X**, De divortiis, IV, 19 (II, 722).
[35] *Ibid.*
[36] c. 2, C. XXVIII, qu. 2 (I, 1090).

Item, I Cor. VII, "Si infidelis discedit, discedat, non est enim frater vel soror[37]." Ergo. etc.

Secundo, quia matrimonium fidei et caritatis quod est inter animam et Deum iuxta illud, "Sponsabo te mihi in fide[38]," est separabile usque ad consummationem in gloria, et separetur etiam multotiens. Ergo, a simile carnale matrimonium est dissolubile usque ad consummationem, quae est per copulam carnalem. Ergo, matrimonium contractum per verba de praesenti sive consensus huiusmodi dissolvi potest.

Contra. I Cor. VII, "Praecipio non ego sed Dominus uxorem a viro non discedere[39]," etc.

Item, I Cor. VI, "Mulier vivente viro allegata est lege viri[40]."

Item, XXXII, Q. VII, Interveniente[41], argumentum ad idem.

Respondeo, XXXVIII, Q. I, non est ratum[42]. Triplex distinguitur matrimonium, legitimum et ratum, ratum et non legitimum, legitimum et non ratum. Legitimum et ratum est inter fideles, et est legitimum quia fit secundum mores patriae vel secundum solemnitatem Ecclesiae, aut quia fit inter legitimas personas; ratum quia in fide, quia fides ratificet; ratum et non legitimum est quod est inter fideles, tamen vel non secundum mores patriae celebratur vel sollemnitates Ecclesiae, vel fit inter tales personas quae habebant impedimentum impediens contrahendum, quamvis non dirimat contractum, quia si dirimaret contractum iam nec ratum nec matrimonium esset; legitimum et non ratum est sicut ibi dicitur inter infideles qui legitimae personae dicuntur, quia contrahunt secundum mores patriae suae; ratum tamen non est, quia non est in fide. Tale coniugium dissolvitur ut dicitur ibi lege fori non lege poli, quia secundum mores suas dato libello repudii separantur ab uxoribus. Tamen secundum ius divinum est inter eos vinculum indissolubile, si tamen legitimae sint personae, nisi in casu a superiori, scilicet a Deo solvatur. Et ad hoc notandum quod aut infidelitas praecedat matrimonium aut matrimonium infidelitatem, sicut cum ambo vel alter coniugum labitur in haeresim vel infidelitatem. Si primo modo aut ambo remanent in infidelitate, et sic si personae sint legitimae separari non possunt de iure divino, etsi secundum mores patriae suae aliquando separentur, sicut loquitur capitulum Non est ratum[43]. Aut ambo convertuntur ad fidem et sic magis est indissolubile quam prius, quia ratificatur per fidem. Aut alter illorum tantum convertitur ad fidem, et tunc est distinguendum, quia aut ille qui non convertitur vult cohabitare sine contumelia creatoris, et sic indissolubile est adhuc, aut non vult habitare sine contumelia creatoris, et tunc dissolubile est huiusmodi matrimonium, et a Deo dissolvitur, quia contumelia creatoris ius solvit matrimonii, sicut habetur capitulo Si infideles[44], et Extra. Quanto[45], ubi dicitur quod tunc qui fidelis est potest contrahere cum altero vivente adhuc primo coniuge. Si matrimonium praecedit infidelitatem, aut uterque labitur in infidelitatem, et sic indissolubile est sicut inter infideles, aut alter tantum et sic distinguendum ut prius, quia infidelis aut vult cohabitare fideli sine contumelia et sic separari non debent, nec simpliciter nec quantum ad thorum, aut non vult sine contumelia creatoris cohabitare, et tunc separari potest quantum ad vinculum, non tamen simpliciter. Immo, altero vivente, alter cum alio ab illo contrahere non potest. Quae dicta sunt confirmantur per rationem et per iura, XXVII, Q. I, Non est ratum[46], et Q. II, Si infidelis[47], et XXXII, Q. VII, Interveniente[48], et Extra. Qui matrimonium possunt[49].

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[37] I Cor. 7, 15.
[38] Osee 2, 20.
[39] I Cor. 7, 10.
[40] *Cf.* I Cor. 7, 39.
[41] c. 1, C. XXXII, qu. 7 (I, 1140).
[42] *Decret. Grat.* C. XXVIII, qu. 1 (I, 1078).
[43] *Ibid.*

His praehabitis dicimus quod matrimonium sive consensus de praesenti, dum tamen fit inter personas legitimas, quamdiu supersunt coniuges simpliciter est indissolubile, etsi in casu solvatur aliquando a Deo.

Ex dictis plures satis intelliges auctoritatum et rationum ad utramque partem excepto quod ad illud quod obicitur quod matrimonium spirituale semper est dissolubile usque ad consummationem, ergo etc., dicendum quod non est simile de matrimonio spirituali et carnali quia matrimonium spirituale ponit coniunctionem cum Deo, non tantum de iure sed etiam de facto. Aliter enim non coniungitur continue anima sponsa cum Christo Sponso nisi per caritatem. Unde oportet esse ibi vinculum actuale iuxta illud "Qui adhaeret Domino unus," etc.[50] Circa autem matrimonium carnale non ponit nisi coniungi de iure, non de facto, nec quantum ad mentes nec quantum ad corpora, quia si quantum ad mentes, tunc inter odio se habentes non esset coniugium. Iterum, si quantum ad corpora esset coniugium inter coniuges, esset solum dum commiscentur, quia patet quod non est ibi vinculum actuale, sed solum iuris sufficit.

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[44] *Decret. Grat.* c. 2, C. XXVIII, qu. 2 (I, 1090).
[45] c. 7, Quanto, X, De divortiis, IV, 19 (II, 722).
[46] *Decret. Grat.* C. XXVIII, qu. 1 (I, 1078).
[47] c. 2, C. XXVIII, qu. 2 (I, 1090).
[48] c. 1, C. XXXII, qu. 7 (I, 1140).
[49] *Cf. Extra.* IV, t. 18 (II, 717 ff.).
[50] I Cor. 6, 17.

Ad alia autem exiguuntur non tantum vir sed femina, et ideo quia in potestate nostra est disiungi de facto in spirituali, quia possumus cum volumus non inhaerere Deo, ideo illud potest solvi. Sed aliud, in quo semel consensimus et nos servum alterius facimus, et sic de iure nos ligamus supra nostrum velle, et ideo a nobis solvi non potest, Non est igitur simile, quia minus exigitur ad solutionem spiritualem, quia solvi de facto sufficit ibi, quam ad solutionem carnalem, ubi non sufficit solvi de facto quod possumus, sed solvi de iure quod non possumus; et ideo simpliciter est dicendum quod illud est indissolubile.

Circa consummationem matrimonii quattuor quaeruntur.

Primum est, utrum copula carnalis sit de essentia matrimonii; secundum, utrum matrimonium consummatum est per copulam carnalem; tertium, utrum solum per copulam vel aliud; quartum, utrum post consensum de praesenti, statim unientur coniuges ad reddendum *f. 224va* debitum carnalis copulae. |

Circa primum si quid minus videtur esse, est et quid magis. Sed consensus amborum minus videtur esse de essentia matrimonii quam copulam corporum, et tamen est de essentia illius, ergo etc. Probatio mediae dicitur in Summa de matrimonio[51]. Dicunt iuristae quod matrimonium primum ad cuius exemplar sunt alia tunc fuit institutum inter primos parentes quando Adam dixit, "Hoc nunc os de ossibus meis et caro de carne[52]," non quando dixit Deus, "Crescite et multiplicamini[53]" etc.; immo non fuit nisi quasi benedictio nuptialis. Sed constat quod istud, "Hoc nunc os" etc. magis respicit copulam corporum quam animorum, quia in copula corporis fiunt proprie una caro.

Contra. Nihil est de essentia alterius sine quo potest esse alterum, id est sine quo non existente existit alterum. Sed sine copula carnali existente adhuc est matrimonium, XXXII, Q. VII, interveniente[54], ergo, etc.

Respondeo. Possumus loqui de matrimonio vel in quantum sacramentum, vel in quantum coniugium. Si in quantum sacramentum, sic copula carnalis est de essentia illius. Quia matrimonium in quantum sacramentum institutum est principaliter ad signandum coniunctionem Christi et Ecclesiae quae est per unionem duarum naturarum in Christo, non ad significandum coniunctionem animae cum Deo, quia sacramentum et ex similitudine repraesentat et ex institutione significat. Dico ergo quod matrimonium quantum ad consensum animorum principaliter repraesentat coniunctionem animae ad Deum vel ad Christum in quantum Deus, non in quantum Verbum Incarnatum, nisi ex consequenti, scilicet, in quantum caritas sua movet ipsum ad uniendam sibi nostram naturam, ut coniungeretur Ecclesiae sicut sponsae. Hanc inquam coniunctionem scilicet animae ad Deum vel ad Christum in quantum Deus, repraesentat consensus animorum per verba de praesenti ex similitudine, sed non significat ex institutione, quia ad hoc non est matrimonium institutum, sed in quantum matrimonium institutum est ad significandum Christi et Ecclesiae sacramentum, id est, coniunctionem Christi et Ecclesiae quae est per unionem duarum naturarum in Christo, et quia hanc unionem vel coniunctionem figurat per carnalem copulam corporum non per copulam animorum, ideo in quantum sacramentum est de essentia matrimonii copula carnalis; hoc patet XXVII, Q. II, Cum societas[55], quod habetur etiam in Littera[56]. Si autem consideretur matrimonium in quantum coniugium, non in quantum sacramentum, sic uno modo copula carnalis est de essentia illius, alio modo non, quia aliquid potest esse de essentia alterius dupliciter, aut per se et primo, et sic solum principia rei sunt de essentia rei, ut de essentia animae et hoc modo est solum suum quod est, et suum quo est, non suae potentiae; alio modo dicitur de essentia rei quod est per se, etsi non primo, et hoc modo sunt potentiae animae de essentia animae, quia etsi sine illis non potest esse, tamen non sunt de prima rei compositione, sed sequuntur primum esse et sunt quasi de bene esse, quia comparant animam ad operari et ad finem suum. Sic dico quod loquendo de essentia matrimonii per se et primo non est de essentia illius nisi consensus per verba de praesenti; loquendo tamen de essentia matrimonii alio modo, scilicet secundum quod dicitur de essentia esse quid per se etsi non primo, scilicet quia sequitur primum esse et dat bene esse et completum vel consummatum quia comparat ad finem, sic carnalis copula est de essentia matrimonii, quia per carnalem copulam est ibi omnimoda inseparabilitas et perpetuitas, et ordinatur ad suum finem, scilicet ad bonum prolis.

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[51] Non inveni.

[52] Gen. 2, 23.

[53] Gen. 1 F 8 (1, 28)

[54] c. 1, C. XXXII, qu. 7 (I, 1140).

Quod ergo primo obicitur de institutione primi matrimonii, dicatur quod tunc erat matrimonium institutum in officium, non in remedium, et quia quantum ad officium est, et praecipue tunc esset ad multiplicationem hominum sive fidelium quae fit per copulam carnalem, ideo tunc debuit forma instituendi tangere principaliter copulam carnalem. Nunc autem quia spirituale est, secundum quod dicit Apostolus[57], qui uxores habent sint quasi non habentes, ex quo praecipue Beata Virgo continentiam huiusmodi incepit, debuit forma verborum talis esse quae ita de plano non tangeret copulam carnalem, sed magis spirituale esse debuit, sicut est forma quae ita expresse non tangit carnalem copulam, sicut illa, "Haec nunc os," etc.[58]

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[55] c. 17, Cum societas, C. XXVII, qu. 2 (I, 1066).
[56] Lombard, *IV Sent.*, Dist. XXVI, (ed. cit. II, p. 914 ff.).
[57] I Cor. 7, 29.

Alia duo argumenta ad oppositum procedunt secundum quod esse de essentia alicuius est esse de essentia illius primo et per se, et non secundum quod dicit esse de essentia alterius per se etsi non primo.

Illud autem quod adducitur ad primum non facit ad propositum quia non dicitur ibi quod matrimonium posset esse sine omni copula carnali, quia non loquitur generaliter de copula carnali.

UTRUM MATRIMONIUM CONSUMMATUR PER COPULAM CARNALEM?

Circa secundum, Ambrosius et Herodotus in hoc quarto infra Dist. XXX, Cap. Inter quos[59], et dicitur ab Ambrosio in Libro de Patriarchis, et habetur XXVII, Q. II, In omni matrimonio[60], In omni matrimonio coniunctio intelligitur spiritualis quam firmat et perficit coniunctorum permixtio corporalis. Ergo, matrimonium consummatur per carnalem copulam.

Contra. Consummans nobilissime et dignius consummat. Sed coniunctio carnalis non est dignior coniunctione spirituali quae est per coniunctionem animorum secundum quod dicit Augustinus[61] quod sanctiora sunt coniugia pari voto continentium. Ergo, copula carnalis non est consummatio consensus vel communionis animorum.

Respondeo. Consummatio matrimonii est per copulam carnalem sive consideretur in quantum sacramentum sive in quantum coniugium. In quantum sacramentum enim consummatur per illam, quia in quantum sacramentum est ad consignificandum illam perfectissimam et beatissimam coniunctionem Christi et Ecclesiae[62], sive desponsationem quae fit per unionem divinae et humanae naturae in Christo quam non figurat donec copula carnalis accedit. In quantum coniugium similiter per illam consummatur, quia coniunctio animorum non est ita perfecta unio illorum ad invicem sicut est coniunctio corporum. Imo illa animorum ordinatur ad illam corporum, et haec consummativa est.

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[58] Gen. 2, 23.
[59] Cf. Lombard, *IV Sent.*, Dist. XXX (ed. cit. II, 932 ff.).
[60] c. 36, In omni matrimonio, C. XXVII, qu. 2 (I, 1073).
[61] Lombard, *IV Sent.*, Dist. XXX, (ed. cit. II, p. 932).
[62] Cf. Eph. 5, 22 ff.

Quod ergo primo obicitur quod consummans nobilius est, dicatur quod possumus loqui de his duabus unionibus vel coniunctionibus coniugum, scilicet carnali et mentali, vel quantum ad ea quae uniuntur, vel quantum ad modum vel genus unionis, vel coniunctionis; primo modo dignior est mentalis, quia ibi coniungitur spiritualis natura cum spirituali, in alia corporalis cum corporali. Et spiritus constat dignior est natura quam corpus. Secundo modo, scilicet in genere unionis vel coniunctionis, nobilior est et dignior quae est corporum quam quae animorum tantum. Quae quidem unio corporum est secundum rem et non tantum secundum intentionem sicut alia, et nobilius et perfectius coniunguntur quae coniunguntur secundum rem quam quae secundum intentionem tantum coniunguntur, et coniunctionem corporum attende quantum ad naturam, non quantum ad miseriam quae ibi est.

UTRUM SOLUM PER COPULAM CARNALEM CONSUMMATUR MATRIMONIUM?

Circa tertium, ubi finis sub fine, si finis est consummare, hoc est ultimi finis et exterioris, vel ad minus maxime ultimi finis est consummare; sed copula carnalis est in matrimonio ad prolem habendam. Ergo, prolis, non tantum carnalis copula, consummat matrimonium.

Quod autem matrimonium sit ad prolem habendam habetur XXXII, Q. II, Pudor est, et XXXII, Q. III[63], Sicut non omnis.

His ita respondent[a]. Secundo quia inter Beatam Virginem et Ioseph fuit perfectissimum matrimonium, sicut habetur XXVII, Q. II, Si quid[64]. Cum ergo, et ibi Cap. Omne itaque[65], et tamen non fuit ibi carnalis copula sed votum virginitatis. Ergo, non solum etc.

Tertio, quia initium respondet fini, vel consummationi. Ergo, cum matrimonium pluribus modis initietur, vel nuda promissione, subarratione, etc., ergo et pluribus modis, non tantum uno possit consummari. Quarto, consummatur matrimonium quando coniuges fiunt una caro. Sed magis sunt una caro cum habent prolem, quia tunc sunt una caro in se et in alio. Ergo, tunc est maxime matrimonium. Et ita etc.

Contra. Matrimonium usque ad carnalem copulam est perfectibile, non perfectum; post est perfectum non ulterius perfectibile. Ergo, cum tale sit consummatum, videtur quod carnalis copula consummat matrimonium. Cum autem post carnalem copulam non sit perfectibile patet, quia si sic, nonnisi per prolem. Per prolem autem non consummatur, quia hoc non est in omni matrimonio. Unde accidit matrimonio et perficit. Ergo, non esset consummatum matrimonium donec habetur proles. Ergo, semper ante prolem licet transire ad alia vota, quia semper licet illud ante consummationem matrimonii.

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[63] c. 1, Pudor est, C. XXXII, qu. 2 (I, 1119), and ibid. c. 2 (ibid. 1120).

[64] c. 3, Beata Virgo, C. XXVII, qu. 2 (I, 1063). With reference to the matrimony of Our Blessed Lady and St. Joseph, cf. the text edited from this present ms., Kilian F. Lynch, O. F. M., *De matrimonio Mariae et Ioseph*, Franciscan Studies, 15 (March, 1955) 79 ff.

[65] *Decret. Grat.* c. 10, C. XXVI (I, 1065).

[a] Mutil.

Respondeo. Matrimonium consummatur per solam copulam carnalem, quia illud consummat matrimonium ad quod matrimonium per se habet potentiam, sive ad quod est per se, et ad illud sicut ad ultimum per se ordinatur. Hoc autem est copula carnalis, quia ad hoc ultimo per se possunt coniuges, non autem possent per se in prolem, et ideo non proles sed coniunctio carnalis consummat.

Quod ergo primo obicitur quod proles est finis ulterior, ergo etc., dico quod est finis intra et finis extra, ut fabrilis facere frena, frenus est intra, utilitatis vero est eius finis extra; finis autem intra ultimus, non finis ultimus extra, consummat. Quia ergo prolis non est finis ultimus, intra matrimonii sed extra, copula vero carnalis finis ultimus intra, ideo non prolis sed copula carnalis consummat.

Ad aliud dicatur quod aliter est de illo matrimonio et de omni alio, *f. 224vb* quia quod in aliis facit proles suscepta in | matrimonio de viro proprio, hoc ibi fecit proles suscepta de Spiritu Sancto. Quamvis enim matrimonium congruentiam habeat ad hoc quod per carnalem copulam consummatur, tamen necessitatem habet haec consummatio ab institutione divina. Unde consummatio matrimonii et est ab institutione divina vel lege, et quia Deus instituerat quod de matrimonio consummato et perfecto nasceretur, consummato dico non lege communi aliorum, sed lege privata, scilicet per susceptionem eius quod in aliis praesupponebat de necessitate consummationem, ideo dico quod tantum fecit ibi proles suscepta de Spiritu Sancto quantum in aliis proles suscepta de iure proprio. Unde omnia bona quae sunt in aliis matrimoniis consummatis ibi fuerunt per excellentiam, propter quod maxime fuit consummatum, quamvis ergo non fuerat carnalis copula, fuit tamen ibi quod maius est quantum ad consummationem quando carnalis fit copula. De omnibus ergo aliis matrimoniis illud argumentum teneret; de illo vero non valet.

Ad alia, quamvis secundum suas intentiones sibi invicem respondeant principium et consummatio vel finis, tamen non secundum rem ita est, quod in aliquibus similiter non respondent, sed potest aliquis pluribus initiari quod uno solum consummatur, et hoc propter imperfectionem principii, ut vita aeterna quamvis sit unum pluribus tamen modis potest mereri, sicut omnia quae per generationem et successionem exeunt in esse, pluribus modis possunt initiari propter imperfectionem principii, tamen unum est quando consummatur.

UTRUM STATIM TENEANTUR REDDERE DEBITUM

Circa quintum, in consensu transfertur dominium cuiuslibet ad alterum. Ergo amplius non habet potestatem sui. Ergo statim tenetur alteri petenti debitum, nec potest resistere. Secundo, quia per morem nihil iuris acquiritur in matrimonio alterius in alterum. Imo a principio consensus illius habet quodlibet matrimonium quidquid iuris potest habere ad minus quidquid potest habere ante carnalem copulam. Ergo, aut statim tenetur ad carnalem copulam, aut numquam. Sed non est dicere quod numquam; ergo, statim.

Contra. Matrimonium initiatum non statim necesse est ratificari. Ergo, nec ratum necesse est statim consummari.

Respondeo. Non statim tenentur coniuges ad solutionem debiti, et ratio est quia cum nullus teneatur statim renuntiari iuri suo, et ipsi habeant adhuc ius transeundi ad meliorem vitam, invito alio coniuge cui iuri renuntiatur in carnali copula, ideo non statim solvere tenentur.

Est etiam ratio quia scilicet factum arduum et deliberationem et dilatationem exigit temporis, et est simile in matrimonio carnali et spirituali quantum ad hoc, quia in spirituali scilicet quando quis intrat religionem antequam matrimonium illud consummet per professionem, conceditur ei de iure tempus deliberationis, Extra. De transeuntibus ad religionem, Statuimus[66]; similiter et in carnali est tempus indultum antequam consummetur.

Quod ergo primo obicitur dico quod in matrimonio sunt duo, scilicet quiddam negativi praecepti quod est alteri igitur viro suo commisceri, et quiddam affirmativi scilicet isti viro inseparabiliter inhaerere. Quantum ad primum transit dominium statim, in consensum per verba de praesenti, quia nec mulier habet ultra potestatem corporis sui, ut cum alio nubat, nec vir ut cum alia, et quantum ad hoc bene procedit ratio, sed quantum ad secundum non statim transit potestas, immo deliberare potest, ut dictum est, et post deliberationem vel isti inseparabiliter per carnis copulam inhaerere, vel ab isto ad amplexus spiritualis Sponsi transire. Unde ad primum tenetur semper et ad semper, scilicet ut alteri non commisceatur donec celebretur divortium inter eos.

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[66] c. 23, Statuimus, **X**, De regularibus et transeuntibus ad religionem, III, 31 (II, 578).

Ad secundum autem, scilicet isti commisceri, in se probabiliter dicitur semper licet intrare religionem, sed non ad semper, quia non donec post deliberationem.

Ad illud quod ratione huius potest quaeri quantum temporis est indulgendum, respondeo secundum ius determinatum Extra. De censuris, Ex publico[67], certum indulgentur duo menses secundum apparatum[68], tamen pro arbitrio iudicis est plus vel minus de tempore indulgendum secundum quod sibi videbitur expedire, et huius ratio potest esse quia in talibus possunt multi casus accidere qui non possunt cadere sub scientia, nec de ipsis regula potest poni, sed iudicis peritia debet esse pro regula in talibus. Unde, illae tres <quae> in decretali alligata assignantur non intelligentur praecise, sed huius tres est arbitrio iudicis et circumspectioni illius relinquendum. Unde plus non potest vel minus de tempore deliberationis coniugum indulgere. Et nota secundum apparatum[68a] quod si contingeret alterum coniugum post tempus sibi ad deliberationem indultum neutrum velle facere, scilicet, nec intrare religionem nec debitum alteri coniugi reddere, non posset ei iudex terminum alium sine consensu alterius coniugis assignare sed de voluntate alterius posset bene iterum alium terminum indulgere, ut Extra. De regularibus et transeuntibus ad religionem, Statuimus[69].

Post haec advertendum est quid sit coniugium[70]. Hic incidunt casus et quaestiones quasi circa litteram.

Prima circa hoc quod dicitur ibi efficiens causa matrimonii est consensus non quilibet sed per verba expressa, nec de futuro sed de praesenti. | Et circa hoc primo quaeritur si impuberes contrahunt per verba de praesenti, utrum fiat aliquid vel non, et hic dico impuberes supra septem et infra duodecim et quattuordecim ita quod in eis malitia non supplet aetatem. *f. 225ra*

Quod nihil fiat videtur, quia non matrimonium quia aetas debita non adest, non sponsalia quia non est forma verborum quibus contrahitur.

Contra. Cum aliquis contrahit cum aliqua dicens "Ego accipio te in meam," non datur intelligi nec important verba quod solum suam fit in praesenti sed semper, et sic est in futuro. Ergo, in illa forma verborum de praesenti intelligetur illa de futuro. Ergo, si inter istos impuberes non valeat de praesenti, valet pro futuro; ergo, saltem sponsalia contrahuntur. Hoc idem dicit expresse Extra. De spons. impuberum, Tuae nobis[71].

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[67] c. 7, Ex publico, **X**, De convers. coniug. III, 32 (II, 581).

[68] *Cf.* apparatus *ibid.*, ed. Venetiis, 1584, col. 1261.

[68a] *Cf. ibid.*, col. 1261.

[69] c. 23, Statuimus, **X**, De regularibus et transeuntibus ad religionem, III, 31 (II, 578).

[70] Cf. Lombard, *IV Sent.* Dist. XXVII, (*ed. cit.* II, p. 916).

Respondet Magister[72] quod aut illi intendunt contrahere matrimonium simpliciter, aut intendunt facere quod possunt, ut si dicerent, "Contraho tecum si possum, si non, valeat quod valeat." Primo modo nihil faciunt; secundo modo contrahunt sponsalia.

Sed hoc non videtur sufficere, quia si verba illa non habent in se quod possint inter illa contrahi sponsalia, ergo ex hoc quod illi addunt, valeat quod valeat, nihil fit amplius nisi quod valeant verba. Sed verba istud non habent in se sicut supponunt, cum dicit quod cum simpliciter proferuntur et intendunt contrahere nihil agitur. Ergo, nec illa additione facta adhuc aliquid agitur. Ergo, simpliciter nihil agitur inter eos quod est contra decretalem praeallegatam. Propter quod dicatur quod simpliciter contrahuntur inter illos sponsalia, sicut dicit decretalis[73], et ratio dicta est iam, quia cum quis dicit "Accipio te in meam," intelligitur quod fit sua, et quod erit sua, et sic in illa forma intelligitur futurum, et sic forma sponsalium intelligitur ibi habitualiter, etsi non actualiter exprimatur sub propriis verbis, quia illam potest accipere de futuro etsi non de praesenti, et sunt inter eos contracta sponsalia, non matrimonium.

Secundum quaeritur circa hoc. Ponatur quod iste cum illa exprimit verba consensus de praesenti, dicens, "Accipio te in meam," et illa bona fide respondeat, "Et ego te in meum," iste tamen mentitur et defraudat istam, quia non intendit dicere verum, nec contrahere cum illa nec consentit corde, sed dissentit corde; ad hoc profert illa verba ut extorqueat carnalem copulam; quaeritur utrum sit matrimonium, et utrum sit alligatus mulieri illae per matrimonium?

Quod sic videtur, quia Augustinus[74] vult quod cum quis fraudulenter iurat aliquid sic iuramentum Deus accipit sicut ille cui iuratur intelligit. Ergo, similiter hic Deus istam promissionem sic accipit sicut illa cui promittitur intelligit. Ergo, sicut illam intelligit similiter istum teneri, sic apud Deum tenetur. Ergo, est ibi matrimonium.

Praeterea, Extra. De spons., Ex litteris[75], ibi dicitur quod cum alter non intelligit quod alteri proponit, debet cogi utrumque verborum illum sensum tenere, quem solent recte intelligentibus generare, et loquitur sponsalibus. Ergo, similiter vel magis hic debet esse. Sed recte intelligentes verba prolata iudicarunt hoc esse matrimonium. Ergo, etc.

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[71] c. 14, Tuae nobis, **X,** De despons. impub. IV, 2 (I, 678).
[72] Cf. Lombard, *IV Sent.*, Dist. 27 (*ed.* Quaracchi, II, p. 917).
[73] Cf. n. 71.
[74] Non inveni.
[75] c. 7, Ex litteris, **X,** De spons. IV, 1 (II, 663).

Contra hoc est quia ibi non est mutuus consensus. Ergo, ibi est defectus causae matrimonii. Secundo, quia hic dicit Extra. De spons., Tua nos fraternitas[76], ubi ponitur expresse iste casus, et respondetur quod non est matrimonium, quia ibi non fuit consensus sine quo caetera sequentia nequeant perficere coniugale.

Credo tamen quod nec in voto nec in aliqua promissione tenetur fraudulenter proferens consensum non intendens facere quod dicit ad id implendum quod dicit quantum ad Deum, sed tamen peccat sic dicendo et bene faceret implendo si sit in statu quo illud possit adimplere. Et hoc est quia exterior consensus non est nisi signum interioris, interior autem est obligans. Propter quod videtur quod illa ratione praedicta non sit ibi matrimonium sed alia ratione, quia scilicet in matrimonio et est perhibitio assensus proprii, et est acceptio assensus vel consensus alterius, et hoc ultimum est consummativum consensus efficientis matrimonium. Unde si ipse possit dare suum assensum sine hoc quod reciperet assensum alicuius, non esset ibi matrimonium quia non esset mutuus consensus, et claudicaret matrimonium quod esse non potest. Oportet ergo ad hoc quod sit consensus efficiens matrimonium, et quod iste suum assensum praebeat illi quod accipit eam in suam, et quod illa recipiat assensum alterius, in hanc rem, id est quod illa se concedat in suam, et iste hanc recipiat. Cum ergo iste ficte dicit quod accipiat illam in suam, et illa vere respondet quod accipit eum in suam, aut iste non intendit proferre suum assensum nec recipere assensum illius, et sic non est matrimonium, aut licet non praebeat suum, tamen intendit recipere assensum alterius credens quod non ligetur illi, nisi praebeat suum, et sic se decipit quia recipiendo illam in uxorem, dat se illi in virum, quia vir et uxor relative se habent in hoc, quia non potest esse uxor huius quin iste sit vir illius. Et ideo si iste recipit consensum istius ut sit eius uxor, ex consequenti dat suum ut sit vir illius. Et sic est matrimonium inter eos, sicut iste non potest velle esse pater istius, quin velit quod iste sit filius eius. Secundum alium modum non est matrimonium inter eos.

Ad primum ergo dicatur quod non est simile de obligatione quae est *f. 225rb* in matrimonio et quae est in iuramento, | quia illa est in foro Dei, quia invocatur prima veritas testis, et ideo semper tenetur facere quod dixit, dummodo iuraret licite, quia numquam est veritas testis nisi de vero, et ideo oportet quod verificet quod dixit ne quantum in se est et faciat veritatem mendacem. Sed in matrimonio est obligatio homini non invocata prima veritate in testimonium, et ideo si non intendit facere quod dicit <sed> solum mentitur vel defraudat, non obligatur necessario ad hoc faciendum, nisi quod quamdiu est in statu quo illud potest complere debet sibi consuli quod faciat et impleat quod promisit, nisi ibi esset periculum alterioris status, ut si velit religionem intrare.

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[76] c. 25, Tua nos duxit fraternitas, **X**, De sponsalibus et transeuntibus, IV, I, (II, 670).

Ad capitulum dicatur quod sic loquitur non quod iste vel ista teneatur simpliciter ad implendum votum religionis quod fraudulenter fecit, sed loquitur ad terrorem et in paenam hoc infligendo, ut ad hoc talis fraudulentus cogatur, ne scilicet si non cogatur, similem audaciam sic agendi alii accipiant, et sic sacramenta Ecclesiae communiter contemnantur hac occasione, ut patet ibi.

Ad decretalem[77] dicatur quod loquitur non in foro Dei sed causarum sive exteriori, in quo est pro matrimonio standum, nisi iuramentum esset in contrario quod pro illo statu non posset, argumentum, Extra. De spons. Tua nos fraternitas[78]. Quae adducta sunt in contrarium concedimus.

Postea quaeritur utrum inter absentes possit contrahi matrimonium?

Quod non videtur quia ibi non potest servari forma verborum quibus debet exprimi consensus, quia vir potest dicere "Accipio te," etc., et alia similiter "Accipio" etc.

Item, non est idem tempus prolationis mandatoris et procuratoris.

Contra. XXXII, Q. II, Cap. Non omnis[79]. Cum ergo ubi habetur quod virginalis pudoris non est eligere maritum etc. Ambrosius in Libro de Patriarchis[80]. In Genesi[81] etiam legitur de matrimonio Isaac et Rebecca quod inter absentes promissione mediante fuit contractum. Praeterea, desponsatio humanae naturae a Christo vel Verbo mediante angelo Gabriele misso ad virginem[82] quasi mediatore fuit facta. Cum ergo matrimonium carnale sit signum et sacramentum illius, potest inter absentes contrahi.

Quod concedimus, cuius ratio est quia omnis habens auctoritatem super aliquid potest illud alteri committere, argumentum Extra. De officio legati, Eis[83]. Quia ergo iste solus habet auctoritatem et potestatem voluntatis suae, quantum ad hoc factum potest illa (*read* ille) committere procuratori de latere illam voluntatem (*add* et per procuratorem) ad mulierem, et vice mariti recepitur(!) <recipit> mulieris consensum, et sic potest contrahi matrimonium inter absentes.

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[77] *Cf. supra* n. 75.

[78] c. 26, Tua nos duxit fraternitas, **X**, De sponsalibus, IV, 1 (II, 670).

[79] Decret. Grat. c. 12, Non omnis, XXXII, 2 (I, 1123).

[80] Cf. c. 13, Honorantur, C. XXXII, qu. 2 (I, 1124).

[81] Gen. 24, 33.

[82] Lk. 1, 26.

[83] *Extra.* II, 183.

Quod ergo primo contra hoc obicitur quod non potest servari forma, dicatur quod de forma consensus sive de verbis exprimentibus consensum, possumus loqui per comparationem ad eum qui committit vel per comparationem ad eum cui committuntur. Primo modo non servatur illa forma, et sic procedit ratio; secundo modo servatur, quia etsi non per seipsum exprimit vir consensum suum, mulier tamen per procuratorem exprimit, et est ei mulier praesens si non corpore spiritu tamen.

Ad aliud quod non est idem tempus, possumus loqui vel de tempore quo verba procuratori committuntur, et sic non est idem tempus, vel de tempore quo procurator verba sibi commissa deponit et consensum mulieris vice viri recipit, et sic idem tempus; potest ergo sic inter absentes etc.

Consequenter quaeritur circa illud capitulum[84] *Quod vero sponsam*, pro eo quod ibi tangitur quod ante carnalem copulam potest alter transire ad religionem nolente alio, et quaeritur utrum verum sit?

Quod sic dicunt plura iura, Extra. De conv. coniug., Ex publico, et habetur ad hoc XXVII, Q. II[85].

Sed contra. Inconveniens est ad quod sequitur inconveniens. Sed ad hoc sequitur inconveniens, scilicet quia si mulier transit ad religionem, potest ducere alium, quia absolutus est ab illa, argumentum, Extra. De conver. coniug., Ex publico[86], Ceterum, si ad religionem transierit, etc., ergo cum illa infra suum tempus probationis possit redire ad saeculum, Extra. De transeuntibus ad religionem, Statuimus[87], poterit assumere virum alium, et sic utroque manente in saeculo contingit eos aliis alligari, et primum matrimonium dissolvi viventibus coniugibus. Quod est inconveniens, quia si vis dicere quod remanens in saeculo non potest accipere coniugem usque ad annum, et expondenda est illa decretalis[88] quae videtur dicere quod statim potest, ad minus hoc sequitur inconveniens quod remanens in saeculo sine sua culpa gravamen sustinet, cum cogitur expectare usque annum quod prius facere nolebat, sed ducere uxorem vel habere illam quam duxerat.

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[84] Cf. Lombard, *IV Sent.*, Dist. XXVII, (*ed. cit.* II, p. 919).

[85] c. 7, Ex publico, **X**, De convers. coniug., III, 32 (II, 580), and *Decret. Grat.* C. XXVII, qu. 2 (I, 1062 ff.).

[86] c. 7, Ex publico, cf. n. 85.

[87] c. 23, Statuimus, **X**, De regularibus et transeuntibus ad religionem, III, 31 (II, 578).

[88] Cf. *ibid.*

Consequenter quaeritur quia in illo capitulo[89] et in sequenti tangitur quod post carnalem copulam potest alter transire ad religionem si alter remanens in saeculo det cautionem quod continebit, et quaeritur utrum sit verum vel non?

Quod sic, argumentum Extra. De conver. coniug. Praeterea uxoratus[90].

Quod non, XXVII, Q. II, Quia Agathosa[91] ubi habetur pro inconvenienti quod cum per copulam carnalem facti sint unum corpus altera pars illius corporis transeat ad religionem, altera in saeculo remaneat.

Ad idem est, eadem quaestione, Sunt qui dicunt, Quia Agatho, Scripsit nobis[91a], Extra. De convers. coniug. Cum sis, 1 et 2[92]. Pone etiam quod iste ducat per verba de praesenti, et iurent sibi super sacrosancta numquam se invicem dimissuros, tunc quaero utrum possit alter ante carnalem copulam nolente illa ad religionem transire? Similiter est casus si ambo possunt transire?

Quod non videtur quia licet unicuique renuntiare iuri suo, Extra. De regularibus et transeuntibus ad religionem, Statuimus[93], et argumentum De convers. coniug. Quidam[94]. Ergo, licitum est quod iuravit. Ergo iuramentum de licito semper observare tenetur.

Contra, Semper licet melius facere et ad alteriorem statum ascendere, si fieri potest. Sed ante carnalem copulam licet etiam nolente uxore. Ergo, iurando contra hoc iuravit illicitum. Ergo, non tenetur. Ergo, potest transire.

Respondeo. Ad primum casum dico quod potest alter coniugum post consensum de praesenti transire ad religionem altero invito, quia adhuc post consensum illum est matrimonium imperfectum, et potest consummari per fortius vinculum, et hoc vel per carnalem copulam, vel per ingressum religionis secundum quod supra notum est in illo problemate, "Utrum carnalis copula sit de essentia matrimonii?"[95], in responsione secundi articuli illius problematis.

Quod ergo obicitur in contrarium dico quod ille qui remansit in saeculo aut reclamat et petit coniungere, aut non curat vel negligit. In secundo casu tenetur expectare usque ad completionem improbationis nisi ante reclamat, et ex tunc si ille ante profiteatur religionem potest alter contrahere et sic intelligitur illa decretalis, Ex publico[96], quia non transit ad religionem antequam professionem faciat, sed ad probationem religionis tantum. Si autem revertatur ante professionem semper tenetur ipsam recipere. Si autem reclamat, remanens in saeculo, potest facere illum cogi qui intravit religionem quod acceleret professionem ad vitandum periculum remanentis in saeculo.

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[89] Cf. Lombard, *IV Sent.*, Dist. XXVII, cap. VI—VII (ed. cit. II, 719 ff).

[90] c. 1, Praeterea, **X,** De convers. coniug., III, 32 (II, 597).

[91] c. 25, Quia Agatho, C. XXVII, qu. 2 (I, 1070).

[91a] *Decret. Grat.* c. 19, Sunt qui dicunt, c. 25, Quia Agatho, c. 26, Scripsit nobis, C. XXVII, qu. 2 (I, 1067—70).

[92] c. 4, Quum sus, **X,** De convers. coniug., III, 32 (II, 579).

[93] c. 23, Statuimus, **X,** De regularibus et transeuntibus, III, 31, (II, 578).

[94] c. 3, Quidam, **X,** De convers. coniug. III, 32 (II, 579).

[95] Cf. supra

Ad id quod quaeritur dicatur quod quia coniugibus numquam praecluditur matrimonium quin ad minus de consensu mutuo, possint altiorem vitam eligere, sed oportet quod sicut una caro et unum corpus per carnalem copulam sint effecti, ita unum semper habeant voluntatem vel in generali, vel in speciali, et ideo numquam potest unus transire ad statum conciliorum utpote castitatis vel religionis nisi alter velit ad eundem statum similiter transire vel in generali vel in speciali; in generali ut saltem remanens in saeculo voveat castitatem, altero ad religionem transeunte; vel in speciali, scilicet ut non solum castitatem voveat sed etiam habitum religionis accipiat sicut alter. Haec est ergo ratio quare de consensu potest alter ad religionem transire.

Sed quod quaeritur si potest in saeculo alius remanere, hic est distinguendum, quia aut est talis qui remanet in saeculo quod non potest de ipso haberi suspicio fornicationis vel incontinentiae, et sic sufficit vovere castitatem, Extra. De convers. coniug. Cum sis, Verum; vel etiam talis de quo potest haberi suspicio utpote iuvenis vel talis quod laevitas supleat iuventutem, et tunc non sufficit vovere in saeculo remanendo, sed oportet talem religionis habitum recipere vel alter de consensu illius non poterit ad altiora vota transire ex quo facti sunt una caro per copulam carnalem. Haec dispositio habetur plane Extra. De convers, coniug. Uxoratus[97], I et II insimul, et secundum hanc distinctionem intelligenda sunt iura ad utramque partem adducta.

Ad tertium casum duplex est opinio. Quidam dicunt quod quia licitum est eis illud implere, et licitum fuit iuramentum, non potest sine nota periurii ad religionem transire. Sed ex hoc sequeretur quod matrimonium possit sine carnali copula fieri indissolubile, et ita sine carnali copula consummari, quod est contra saepe allegatam decretalem, Ex publico[98], in cuius fine dicitur quod per solam carnalem copulam matrimonium consummatur. Propter quod aliter dicimus secundum

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[96] c. 7, Ex publico, **X,** De convers. coniug. III, 32 (II, 580).
[97] c. 8, Uxoratus, **X,** De convers. coniug., III, 32 (II, 581).
[98] c. 7, Ex publico, cf. *supra* n. 96.

Hugonem[99] quod in tali casu potest quilibet illorum sine nota periurii ad religionem transire, quia maius bonum est istud quam stare in tali matrimonio, et qui minus bonum dimittit propter maius non *5va* transgreditur, imo e contrario, | XX, Q. III, Propositum[100]. Unde minus bonum in meliori impletur.

Quod in contrarium obicitur quod omnibus licet renuntiare iuri suo, est ius hominis duplex, scilicet hominis in se, et de tali loquuntur iura inducta, et ius hominis in comparatione ad Deum, et tali iuri non potest homo licite renuntiare. Et ideo si renuntiet stulte, consulte vadit contra talem renuntiationem, ut v. g. si iste iuret non ire ad Ecclesiam, non dare eleemosynam pauperi, licitum est ei facere contra, quia ad hoc se non potuit obligare, immo peccavit.

Consequenter quaeritur, ponitur quod contaxit cum isto per verba de praesenti, non vult reddere debitum, sed dixit quod vult vivere caste, nec tamen vult transire ad religionem, sed in domo patris vel sua in saeculo vult castam vitam ducere, cogenda est reddere debitum vel intrare religionem?

Videtur quod non, quia fortius vinculum a minori absolvit.

Contrarium habetur ex saepe alligata decretali, Ex publico instrumento[101].

Respondeo. Non potest sic remanere in saeculo, quia consentiendo in virum et ad continentiam coniugalem se ligavit, et se alteri subiecit, et alterum fecit caput suum, cui obedire tenebatur. Quia ergo semel caput habuit acephala, in saeculo remanere non potest, sed oportet quod ad religionem transeat nisi caput spirituale habeat, si non vult habere carnale, aut marito debitum reddere, et ei sicut suo capiti in his quibus debet obedire.

Quod ergo obicitur, verum est quod si non esset in consensu coniugali ligata, bene procedit ratio quod maiori castitate bene recompensaretur, sed ibi vel ubi est obedientiae vinculo alligata, et in saeculo non esset sub obedientia, et ideo ratione obedientiae annexae est illud bonum minus quam illud, quia melior est obedientia quam victimae[102].

Consequenter quaeritur ratione eius quod in illo capitulo, *His autem itaque respondemus*[103], dicitur quod illi inter quos non sunt nisi sponsalia, possunt eligere religionem et continentiam profiteri sine consensu alterius. Unde supponit sponsalia esse solubilia, et de hoc quaesitum est supra. Sed hic quaeritur magis specialiter utrum infra aetatem legitimam, in tempore illo medio debito sponsalibus, pone quod sicut supra septem et infra quattuordecim ex parte viri, et duodecim ex parte mulieris, possunt se invicem quittare, et in saeculo remanere, et contrahere cum aliis?

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[99] Non inveni.
[100] *Decret. Grat.* c. 1, Propositum, C. XX, qu. 3 (I, 848).
[101] *Cf.* n. 96.
[102] Eccles. 4, 17.
[103] *Cf.* Lombard *IV Sent.*, Dist. XXVII, (ed. cit. II, p. 921).

Quod sic videtur, quia si aliis pactionibus possint se quittare, promittentes infra tempus solutionis, ergo et hic infra aetatem legitimam ad contrahendum.

Contra. Quia sicut se habet tempus illud ab aetate legitima et deinceps ad matrimonium, sic a septimo anno usque ad aetatem legitimam se habet ad sponsalia. Ergo, sicut in illo numquam possunt se legitimi coniuges quittare sibi invicem consensum in matrimonio, sic nec in tempore determinato sponsalibus poterint se quittare de sponsalibus contractis inter se.

Respondeo. Hugguccio[104] dicit quod non possunt, et secundum illud dicimus quod non possunt, quia huiusmodi pactio ordinata est respectu alicuius indissolubilitatis, et ideo ipsa indissolubilis debet esse. Non tamen haec est ratio proxima, sed ratio quare sic videtur quia illud tempus impubertatis decretum est sponsalibus sicut tempus legitimae aetatis matrimonio. Unde sicut in illo tempore non potest consensus de praesenti quittari, sic nec in isto consensu de futuro, quia totum illud tempus debetur sponsalibus sicut totum illud maritali consensui. Unde ad consimilem actum est irregularis in toto isto tempore; unde volunt iura quod si tunc contrahunt sponsalia cum alia totum sit neutrum.

Quod ergo obicitur de aliis pactis non est simile, quia nec illae pactiones ordinantur ad aliquid indissolubile sicut illa pactio, et quod maius est, in eis non facit homo sibi legem sed legi iam factae se subiecit, quia dico quod est lex hominis respectu hominis, quam homo sibi facit, et totum est ibi ab homine, et ideo de consensu hominum potest totum dirimi. Sic est in aliis promissionibus. Et est lex hominis ad hominem quam ille qui legi illae se subicit non sibi facit. Unde se illi subiacere est in potestate sua. Sed postquam se subiecit, quia non illam legem facit non est suum contra illam legem ire, quia illam non potest removere. Sic est in pactione de matrimonio contrahendo, quia iura volunt quod qui cum ista contrahit sponsalia, non possit cum alia, sed cum illa matrimonium impleat sicut promisit, et ideo isti qui tali legi voluntarie se subiecerint non possunt pro voluntate sua iugum legis huius a suis cervicibus removere.

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[104] *Cf.* apparatus, ed. Venetiis, 1584, col. 1462.

Sed tunc quaeritur si cum ad aetatem legitimam pervenerint, possunt se quittare?

Quod non possint videtur per illud Ca. XXXI, Q. III, Si qui parentes[105]. Ad idem facit Extra. De spons., id est, Praeterea[106], quamvis in superficie videatur facere ad contrarium, tamen facit pro hoc si fiat vis in verbis quae ibi dicunt "ne forte deterius" etc. Et videtur quod his possunt in patientia tolerari, quia ex hoc sequitur quod illud sit malum, scilicet quittatio talis, quia de illa ibi loquitur.

Respondeo. Credo quod non possunt se invicem quittare quia promissio illa de futuro ita respiciebat tempus aetatis legitimae quod tantum valet acsi diceret "Cum venerit tempus aetatis legitimae ero contrahens tecum in actu, id est, tunc dicam tibi, "Contraho tecum", et ita cum venerit iam illud in quo debet impleri hoc, scilicet "Contraho tecum", ratione illius debet ista promissio indissolubilis iudicari, quia tempus quo debet verti in praesens iam advenit secundum illud quod dicit lex quaedam[107] ubi sine termino promiserat illud, scilicet matrimonium contrahendum in aetate legitima, quam cito tempus aetatis legitimae advenerit tam cito illud reddere tenetur, nisi rationabili ex causa hanc dimittat.

Sed tunc quaeritur si sponsalia sint indissolubilia quare illi qui contraxerint non compelluntur per censuram ecclesiasticam illa implere sicut qui contraxerunt per verba de praesenti compelluntur, quia talis copula indissolubilis est secundum iura? Quaeritur etiam, si indissolubilia sunt de iure sponsalia quare admittatur contrarium et iudicatur pro illo, scilicet quando post sponsalia cum una contrahitur per verba de praesenti cum alia, iudicatur pro matrimonio et non pro sponsalibus? Quia videtur quod non debet fieri, quia si ille contrahit cum ista per verba de praesenti, et post similiter cum alio, etiam subsequente carnali copula iudicatur pro priori vinculo et secunda irritatur obligatio, Extra. De Spons. Ex parte mulieris, et eodem titulo Cap. Si inter[107a] et hoc quia prima obligatio fuit indissolubilis; ergo, a simili, si hoc fuit indissolubilis, scilicet obligatio sponsalium, videtur quod omnis obligatio subsequens, sive de praesenti sive de futuro, irrita fit et nulla.

Respondeo ad primum dico quod verum est quod sponsalia de se sunt indissolubilia. Tamen non coguntur ab Ecclesia adimpleri nisi aliquando videat iudex expedire aliqua decreta. Et hoc quia non tenetur simpliciter iudex facere illa teneri, sicut iam dicitur, et ideo non cogit necessario ad illa tenenda. Una ratio est ne deterius inde contingat, scilicet, ne iste talem ducat quam odio habeat, et sic eam non vellit matrimonialiter tractare, et propter hoc tolerat Ecclesia quod non impleant sponsi quod promiserunt, ut habetur Extra. De sponsalibus, ibi, Praeterea[108]. Alia ratio est quia coniugium est sacramentum amoris et copula est amoris, et ex amore debet procedere, non ex violentia aliqua, Extra. De spons., Cum locum, Requisivit, Gemma[109], habetur de hoc, et propter hoc ecclesiasticus iudex non cogit tales necessario. Cogit tamen aliquando quamvis non teneatur ratione sponsalium simpliciter illos cogere. Illas autem qui per verba de praesenti contraxerunt semper cogunt, quia semper tenentur si personae sint legitimae, et ratio huius potest dici quia est lex quae immediate et proprie vel a Deo instituta, quaedam etiam magis ab homine imposita, consona tamen non contraria Deo. Prima est de consensu matrimonii; secunda vero est de sponsalibus. Non enim legitur Deus legem dedisse de sponsalibus sicut de matrimonio legitur, sed magis homo illas instituit propter rationes aliquas, et quia iudex est loco Dei, Deut. I, "Dei iudicium est"[110], et II Par. XIX, dicitur ad iudices, "Videte quid faciatis, non enim hominis exerceris iudicium sed Dei[111]," Cum etiam ipse iudex illi legi sit subiectus, nec habet potestatem super illam, et ideo dissimulare illam non potest, nec contra illam permittere agi si sibi innotescit in iure. Et propter hoc semper pro illa lege et pro matrimonio iudicat. Sed quia lex sponsalium erat magis ab homine, ideo homo potest illa dissimulare et non cogere illa impleri auctoritate prima Summi Iudicis in terra, scilicet, Domini Papae, qui de hoc dat licentiam iudicibus, ut videtur De spons. ibi, Praeterea[112].

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[105] *Decret. Grat.* c. un. Si qui parentes, C. XXXI, qu. 3 (I, 1115).

[106] c. 2, Praeterea, **X**, De spons, et matrim. IV, 1 (II, 661).

[107] Non inveni.

[107a] c. 9, Ex parte, **X,** De spons. et matrim., IV, 1 (II, 663), and c. 31, Si inter, **X,** De spons. et matrim., IV, 1 (II, 672).

Ad id quod postea quaeritur quare velet consensus de praesenti cum alia plus quam cum alia quacum contracta sunt sponsalia, dicatur quod aliquid est indissolubile ab homine actu et potentia, et huiusmodi est matrimonium, et aliquid est indissolubile ab homine actu sed non potentia, imo potest ab ipso dissolvi. Intellige tamen de facto non de iure, et huiusmodi sunt sponsalia, et ideo ad hoc potest dici quia promissio de futuro, quia respicit futurum nec habet veritatem nisi futuram, id est pro futuro, non dicit immediatam causam matrimonii, et propter hoc

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[108] c. 2, Praeterea, **X,** De spons. et matrim., IV, 1 (II, 661).

[109] c. 14, Quum locum, **X,** De spons. et matrim., IV, 1, (II, 666); c. 17, Requisivit; c. 29, Gemma (ibid. col. 667, 671).

[110] Deut. 1, 17.

[111] II Par. 19, 6.

[112] c. 2, Praeterea, **X,** De sponsalibus et matrim., IV, 1 (I, 661).

ad ipsam potest non sequi matrimonium, tamen ordinate de iure se-
5vb queretur, | quia ad hoc ordinantur verba illa, ut postmodum dicantur alia quae immediatam causam matrimonii important. Et propter hoc sponsalia si actu non dissolvantur, tamen dissolubilia sunt propter hoc quod non dicunt necessitatem ad matrimonium, sed congruentiam et ordinationem. Consensus autem per verba de praesenti est immediata causa matrimonii, et necessaria, ad quam de necessitate sequitur matrimonium. Et propter hoc indissolubilis est ista copula, quia sic transit dominium consentientis, non transit in verbis de futuro, sed adhuc est suus de facto, etsi non de congruentia iuris. Et propter hoc de facto etsi non de iure se potest dare alteri; in consensu de praesenti transit dominium et de iure et de facto, et ideo post se non potest alteri dare, nec promittere nec de iure nec de facto auctoritate sua, nec aliqua nisi divina dum tamen legitimae sint personae, et propter hoc post contractum sponsalium cum ista tenet matrimonium contractum cum alia.

Ultimo quaeritur de hoc quod dicit Magister[113] in illo capitulo, "Et est sciendum si quis ducat relictam alterius tamen incognitam ab illo primo viro, post mortem uxoris promoveri ad sacros ordines non potest, quia viduam duxit, et sic sit quasi bigamus et irregularis?"

Quaeritur ergo utrum verum sit quod dicit Magister, quod similiter videtur haberi XXVII, Q. II, Quod interrogasti, Ecce[114], et inde accipitur quod Magister dicit?

Secundo, quia iudicium humanum debet sequi divinum, sed quoad iudicium divinum ipsa est corrupta. Unde non habebit aureolam si statim post mortem primi coniugis decedit, quamvis non cognovit. Ergo, debet similiter ab hominibus iudicari corrupta. Ergo, de eo qui contrahit cum illa debet iudicari ac si fuisset a viro corrupta, et ita non poterit post mortem uxoris promoveri.

Contrarium videtur XXXIV, Dist., cap. Valentino[115].

Praeterea, sicut eodem capitulo Valentino dicitur, illa est virgo; ergo, cum nubat cum ipsa duxit virginem. Sed maritus qui habuit virginem, nisi aliud impediat licite potest post mortem illius promoveri. Ergo etc.

Respondeo. Non est verum quod dicit Magister in hoc loco, nec sustinetur communiter. Ad quod notandum quod vidua dicitur tripliciter, proprie, communiter, et improprie. Proprie dicitur vidua cuius maritus est mortuus, et fiat vis in hoc nomine maritus, id est, maris exercens ritus, qui maris ritus exercuit cum illa eam carnaliter cognoscendo, de qua Dist. XXXIV, Vidua[116], et definitur ibi sic, "Vidua est cuius maritus mortuus est," Et copula talis viduae promotionem ad sacros ordines impedit, Dist. XXXIV, Si quis viduam[117]. Secundo modo dicitur vidua communiter sive minus proprie, id est, a viro idua, id est divisa, id est cuius vir, id est iste qui cum ea contraxit sed eam non cognovit, mortuus est. Ex copula huius viduae nullus repellitur a promotione, Dist. XXXIV, Valentino clerico[118], Extra. De bigamo, Proprie debitum[119]. Tertio modo dicitur vidua quae a marito vivente divisa est quoad carnalem copulam promissa continentia ab utrisque, ut sunt uxores presbyterorum apud nos, Dist. XXXII, Mulieres[120]. Sic uxores apostolorum viduae dicebantur. Sic accipitur vidua Act. VI, "Factum est murmur Graecorum adversus Hebraeos eo quod dispicerentur viduae eorum in ministerio quotidiano[121]." Sic et uxores illae decem Davidis viduae dicuntur II Reg. XX[122], "Cum venisset rex in domum suam in Ierusalem, tulit mulieres decem concubinas suas, quas relinquerat ad custodiendum domum, et tradidit eas in custodiam et alimenta eis praebens, et non est ingressus ad eas, sed erant claustrae usque ad diem mortis suae in viduitate viventes".

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[113] Cf. Lombard, *IV Sent.*, Dist. XXVII (II, p. 924).
[114] c. 29, Quod autem interrogasti, C. XXVII, qu. 2 (I, 1071).
[115] c. 20, Valentino, Dist. XXXIV (I, 130).

Quod ergo dicit Magister de vidua primo modo ducta verum esset, sed de secundo modo dicta non dicit verum propter rationes in oppositum adductas.

Ad decretum ergo quod inducitur pro Magistro dicatur quod capitulum loquitur de vidua primo modo dicta. Aliter contradiceret causa XXXIV Dist., Valentino[123].

Ad aliud maior integritas et incorruptio exigitur in muliere ad hoc quod haberet aureolum quam ad hoc quod eius copula non impediat promotionem mariti sui, quia ad aureolam exigitur quod sit integra corpore vel ad minus quod numquam voluntarie corruptioni corporis sequenti de facto consenserit, quia si violenter corrupta esset etiam a proprio sponso in sponsalibus ante matrimonium contractum, propter hoc perderet aureolam. Et etiam exigitur cum hoc voluntas perpetuae continentiae, et sic integritas mentis exigitur.

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[116] c. 16, Vidua, Dist. XXXIV (I, 129).
[117] c. 13, Si quis viduam, Dist. XXXIV (I, 129).
[118] *Cf. supra* n. 115.
[119] c. 5, Debitum, **X,** I, 22 (II, 147).
[120] c. 19, Mulieres, Dist. XXXII (I, 122).
[121] Acts 6, 1 ff.
[122] II Kings 20, 3.
[123] c. 20, Valentino, Dist. XXXIV (I, 130).

Ad hoc autem quod maritus eius possit promoveri non exigitur integritas mentis, quam illa non habet, quae cum praecedenti coniuge et cum isto in carnalem copulam consentit, et simpliciter consentit, sed solum exigitur integritas corporis, non continentia. Sed quando illam ducit, quia quod ille postmodum illam cognoscit non impedit quin promoveri possit; dum tamen virgo esset, id est integra corpore, cum illam primitus cognovit, et postmodum illam, si forte ab alio cognata est infra matrimonium, scienter illam non cognoscit *(sic)*. Unde quantum ad iudicium divinum talis coniux simpliciter corrupta non iudicatur, sed non integra integritate quae exigitur ad aureolam. Iudicatur tamen integra et integritate quae sufficit ad hoc quod post mortem suam vir eius superstes post promoveri possit.

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BOOK REVIEWS

The Holy Bible: Volume III, The Sapiential Books — Job to Sirach. Sponsored by the Episcopal Committee of the Confraternity of Christian Doctrine. Paterson: St. Anthony Guild Press, 1955. Pp. viii—710. $ 5.00.

The Psalms. Fides translation. Introduction and notes by Mary Perkins Ryan. Chicago: Fides Publishers Association, 1955. Pp. xxxvii—306. $ 3.95.

Since "Divino afflante" Scriptural translation has flourished. The variety thus introduced impels choice based on principle. This writer prefers the English Bible in contemporary prose, intelligibly literal, unshackled by memories of Douay, undeceptive where the text is obscure.

The Psalms — the common ground of these two new books — have garnered eleven English versions in as many years, eight from the new Latin Psalter, the rest from the Hebrew. Confraternity, familiar from its separate publication in 1950 and scarcely changed in the new edition, belongs to the latter group but has elected the new Psalter's rendition in various difficult passages, specified its departures in footnotes. Fides, asserting its origin in the new Psalter, frequently evidences independent scholarship, borrowing a phrase from Confraternity in Ps 78:8, departing from both in Ps 57:10. The prose, contemporary in both, will not gratify one who must address God by a pronoun lacking in modern English; Confraternity preserves a flavor of tradition, nonetheless, while Fides exhibits a tilt of song discernible elsewhere only in the paraphrastic versions. Both translations demonstrate that a literal version need not be less intelligible than a paraphrase. Neither one will remind of Douay. Fides smooths over textual obscurities of the original which Confraternity lays bare by bracket and footnote.

As for competing versions, Kleist's modern English is the poetic sort, rendering the thought opaque; the euphony he sought can be had in Fides without his sacrifice of clarity, his inverted word order, his baleful "'tis" and "o'er." On the other hand, for one who prefers paraphrase, Kleist supersedes Knox, which was a hasty and inadequate adaptation to the new Psalter of a translation made from the Vulgate; the latter is striking, original, but illuminating rather in the manner of a commentary than of a good translation; some parts of the Knox Bible are far more successful than his Psalms. Kissane, neither modern in diction nor yet too archaic, bolstered by critical apparatus and lengthy commentary, is the most individual of all because his textual criticism is the most radical and his strophe divisions — never identical in two versions anyway — are seemingly arbitrary if always elucidating. Callan, disappointing, is literal and archaic; it could be mistaken for Douay. Benziger and Frey, both very widely circulated, are as inadequate as they are popular, for their mutual sin is the cardinal one of inexactitude.

Either Fides or Confraternity would be surpassing, lacking the other. For comprehension of the new Psalter, Fides is peerless. As part of a complete Bible, Confraternity brooks no cavil. The scholar will want both, should not lack Kissane, and may find Kleist intriguing. But considering the Confraternity volume as a whole, the other six books — Job and the Wisdom books — are the elements which assure full value to its owner. One volume of the complete Confraternity Bible, Genesis to Ruth preceded it and the Prophets are due shortly; the remaining historical books and the New Testament are scheduled after that. Modern in diction against the antique Westminster and the compromise Knox, Confraternity has no real competitor among complete English Bibles. The first two tried to clarify Job, but did they succeed like this? The Wisdom books, like Job and Psalms, in the original are poetry, a quality not lost here. Whether Canticle is a drama, however, might have been settled with less finality; the more common theory — that it is a collection of songs — might have been at least acknowledged.

The typography of both volumes is superb beyond all earlier works. Fides, lacking the fine notes and critical apparatus of Confraternity, supplies a thirty-page introduction directed to laymen, marred by an unsatisfactory explanation of the pseudo-word "Jehovah." Its English is not enhanced by "sheol" untranslated, and some may miss the omitted verse numbers, but these do not disable a splendid work.

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Nevins, Albert J., M. M., *St. Francis of the Seven Seas,* New York [1955]; 184 pp.

This biography of St. Francis Xavier appears in the Vision Books Series "designed to acquaint youngsters from nine to fifteen with the lives of great Catholic saints, martyrs, and lay figures," It informs them about history and geography as well as inspires them with spiritual heroes.

The author, who has traveled throughout Central and South America, and the Middle East, writes from his own experiences as well as research. Father Nevins has also written six juveniles about children and numerous articles for Catholic periodicals and newspapers.

The story: Francis Xavier was born April 7, 1506 although he appears in the story at the age of six. After the death of his father, Don Martin, the youth studied at the University of Paris where he received his degree. With his room-mate, Peter Fabre, he joined Ignatius Loyola as the first members of the Society of Jesus. After ordination on June 24, 1537, Francis sailed to India. Later the Governor of Sousa urged him to visit the Paravas. Francis instructed these Christians and baptized their cildren. Next, he sailed to Malaya unmindful of the fierce pirates. In May, 1546 Francis proceeded to the Spice Islands, residing in a poor hospital where he cared for the sick. Hearing about Japan, the saint left the islanders in 1549. After a stormy trip under a difficult captain, Francis arrived at Kagoshima. He later proceeded to Hirado and Kyoto, but after eleven days, the disappointed missionary returned to Hirado. In November, 1551, the Jesuit priest returned to India. After two months in Goa, Francis decided to convert China. But on December 1, 1552 Francis died on Sancian Island before he could realize his ambition for Christ and the Church. Ultimately his body, miraculously preserved, was returned to Goa. On March 12, 1622 he was listed among the saints.

The attractive cover, large type and short chapters (fifteen in number) should appeal to youthful readers. Although full page illustrations are lacking, the motif of each chapter is graphically illustrated. A map of Francis' travels graces the front and back inside covers.

The story itself, briefly sketched above, will fire the imagination in presenting the dynamic personality of St. Francis Xavier. There are many points of high interest, especially his meeting with Ignatius Loyola, his miraculous powers on the Spice Islands and his clever diplomacy in dealing with the daimyos of Japan.

Those interested in Catholic Action will be pleased to note Francis' action in delegating children to teach the catechism. "He did not wish to refuse the people entirely, so he sent the children whom he had taught to the homes of the sick. He told them to gather family and neighbors and recite the prayers they had learned."

We believe the author has presented Francis Xavier as a human being, popular and worthy of imitation. The holiness and confidence in God of the saint are sufficient evidence that the book is wholesome. This reader found it difficult to set aside St. Francis of the Seven Seas until the last page was finished.

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